United Nations A/C.3/72/L.15

General Assembly

Distr.: Limited
13 October 2017

Original: English

Seventy-second session
Third Committee
Agenda item 27 (b)
Social development: social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

Portugal, Republic of Moldova and Senegal: draft resolution

Policies and programmes involving youth

The General Assembly,

Recalling the World Programme of Action for Youth, adopted by the General Assembly in its resolutions 50/81 of 14 December 1995 and 62/126 of 18 December 2007,

Welcoming the participation of youth representatives in national delegations at the General Assembly,

Affirming that generating decent work and quality employment for youth is one of the biggest challenges that needs to be tackled, as well as emphasizing the priority areas of the World Programme of Action for Youth linked to the employability of youth, including education, health and access to information and technology, and bearing in mind that over 73 million young people are unemployed,

Recalling that Member States have an important role in meeting the needs and aspirations of youth, including youth with disabilities, and recognizing that the ways in which young people are able to fulfil their potential will influence social and economic conditions and the well-being and livelihood of future generations,

Acknowledging that the current generation of youth is the largest one ever, and in this context reaffirming the importance of involving youth, and youth-led and youth-focused organizations, in the work of the United Nations at the national, regional and international levels, in all matters of concern to them, including in the implementation of the World Programme of Action for Youth and of the 2030 Agenda for Sustainable Development,[1]

Recalling the Lisbon Declaration on Youth Policies and Programmes, adopted at the World Conference of Ministers Responsible for Youth, held from 8 to 12 August 1998, and emphasizing the importance of the twentieth anniversary

[1] Resolution 70/1.

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of the Conference, to be marked in 2018, and the need for a meaningful assessment of the progress made in youth development and the challenges that remain,

Recalling also its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", and recognizing that the 2030 Agenda includes important goals and targets pertaining to youth,

Welcoming the high-level event held by the General Assembly on 29 May 2015 to mark the twentieth anniversary of the World Programme of Action for Youth, which offered an important opportunity for Member States and other relevant stakeholders to take stock of progress made in its implementation, as well as to identify gaps and challenges and the way forward for its full, effective and accelerated implementation,

Welcoming also the role of the Envoy of the Secretary-General on Youth and her efforts to place young people at the heart of the work of the United Nations, across its pillars of sustainable development, peace and security, human rights and humanitarian action, while enhancing, empowering and strengthening the position of young people within and outside of the United Nations system,

Recognizing the important and positive contribution of young people in efforts for the maintenance and promotion of peace and security,

1. *Takes note with appreciation* of the report of the Secretary-General on youth development links to sustainable development;[2]

2. *Reaffirms* the World Programme of Action for Youth,[3] and emphasizes that all 15 priority areas of the Programme of Action are interrelated and mutually reinforcing;

3. *Also reaffirms* the commitment of Heads of State and Government, reflected in the outcome document of the United Nations summit for the adoption of the post 2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[1] to leave no one behind, including youth, and to develop and implement strategies that give young people everywhere real opportunities for full, effective and constructive participation in society;

4. *Reiterates* that the primary responsibility for implementing the World Programme of Action for Youth lies with Member States, and urges Governments, in consultation with youth, youth-led and youth-focused organizations and other relevant stakeholders, to develop holistic and integrated youth policies and programmes, as well as coherent cross-sectoral efforts, based on the Programme of Action and the 2030 Agenda for Sustainable Development, and to evaluate them regularly as part of the follow-up action on and implementation of the Programme of Action at all levels;

5. *Calls upon* Member States to consider, on a voluntary basis, the indicators proposed in the report of the Secretary-General[4] for their selection and adaptation in monitoring and assessing the implementation of the World Programme of Action for Youth, giving particular attention to young women, marginalized groups and young people belonging to vulnerable groups or in vulnerable situations, taking into account the national social and economic circumstances in each country;

6. *Stresses* the need to strengthen the capacity of national statistical offices to design surveys to collect and analyse data disaggregated by age so as to

[2] A/72/190.

[3] Resolution 50/81, annex, and resolution 62/126, annex.

[4] E/CN.5/2013/8.

effectively contribute to follow-up and reporting on and accountability for the achievement of the youth dimensions of the 2030 Agenda;

7. *Urges* Member States to promote equal opportunities for all, to eliminate all forms of discrimination against young people, including that on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and to foster social integration for social groups such as young persons with disabilities, young migrants and indigenous youth on an equal basis with others;

8. *Reiterates* that the eradication of poverty, hunger and malnutrition, in particular as they affect children and youth, is crucial for the implementation of the 2030 Agenda for Sustainable Development, recalls the commitment to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all, including the strengthening of international cooperation through the fulfilment of all official development assistance commitments and the transfer of appropriate technology and capacity-building with regard to youth, and the need for urgent action on all sides, including more ambitious national development strategies, efforts and investment in youth, backed by increased international support and, inter alia, by providing youth with a nurturing environment for the full realization of their human rights and capabilities, in order to realize the opportunity of the demographic dividend offered by the largest number of young people ever in the history of humankind, and calls for the increased participation of youth, youth-led and youth-focused organizations in the development of such national development strategies;

9. *Emphasizes* the role of education and health literacy in improving health outcomes over a lifetime, and in this regard encourages Member States to promote health education and health literacy among young people, including through evidence-based education and information strategies and programmes, both in and out of school, and through public campaigns, and to increase the access of youth to affordable, safe, effective, sustainable and youth-friendly health-care services and social services, safe drinking water and adequate and equitable sanitation and hygiene by paying special attention to, and raising awareness regarding, nutrition, including eating disorders, obesity and mental health, the prevention and control of non-communicable diseases, the prevention of adolescent pregnancies, the effects of non-communicable and communicable diseases, and sexual and reproductive health care, and recognizes the need to develop safe and youth-friendly counselling and substance abuse prevention programmes;

10. *Also emphasizes* that addressing the specific needs of young people in the response to HIV and AIDS is a key element in efforts to achieve an AIDS-free generation, and urges Member States to develop accessible, available and affordable primary health-care services of high quality, including sexual and reproductive health care, as well as education programmes, including those related to sexually transmitted diseases, including HIV and AIDS, and to strengthen efforts in this regard, including by ensuring the active involvement of young people living with or affected by HIV in the response;

11. *Reiterates* that access to quality formal and non-formal education, at all levels, including, as appropriate, catch-up and literacy education, including in information and communications technologies for those who did not receive formal education, information and communications technologies and volunteerism are important factors that enable young people to acquire the relevant skills and to build their capacities, including for employability and entrepreneurial development, and to gain decent and productive work, and calls upon Member States to take the

actions necessary to ensure that young people have access to such services and opportunities;

12. *Urges* Member States to address the challenges faced by girls and young women, as well as to address gender stereotypes that perpetuate discrimination and violence against girls and young women and the stereotypical roles of men and women that are preclusive of social development, by reaffirming the commitment to the empowerment of women and gender equality and the human rights of all women and girls, and to engage, educate, encourage and support men and boys to take responsibility for their behaviour in this regard, including their sexual and reproductive behaviour;

13. *Also urges* Member States to mainstream a gender perspective into all development efforts, recognizing that these are critical for achieving sustainable development and for efforts to combat hunger, poverty and disease, and to strengthen policies and programmes that improve, ensure and broaden the full participation of young women in all spheres of political, economic, social and cultural life, as equal partners, and to improve their access to all resources needed for the full exercise of all their human rights and fundamental freedoms by removing persistent barriers, including ensuring equal access to full and productive employment and decent work, as well as strengthening their economic independence;

14. *Further urges* Member States to address high rates of youth unemployment, underemployment, vulnerable employment and informal employment by developing and implementing targeted and integrated local and national youth employment policies for inclusive, sustainable and innovative job creation, improved employability, skills development and vocational training to improve the chances of integrating youth in the sustainable labour market, and increased entrepreneurship, including the development of networks of young entrepreneurs at the local, national, regional and global levels that foster knowledge among young people about their rights and responsibilities in society, in this regard reaffirms the commitment of Heads of State and Government to develop and operationalize a global strategy for youth employment by 2020, takes note of the call for action on youth employment made by the International Labour Organization, as well as its Global Initiative on Decent Jobs for Youth, and encourages Member States to invest in education, support lifelong learning and provide social protection for all youth and request donors, specialized United Nations entities and the private sector to continue to provide assistance to Member States, including technical and funding support, as appropriate;

15. *Emphasizes* the importance of the impact of a fair globalization, and encourages Member States to take measures that minimize the negative effects of globalization and maximize its benefits, such as offering relevant education and training for young people in order that they may reach their full personal development, that enable their access to decent jobs and better employment opportunities, in order to meet the needs of changing labour markets, and that enable young migrants to enjoy their human rights;

16. *Recognizes* that youth participation is important for development, and urges Member States and United Nations entities, in consultation with youth, and youth-led and youth-focused organizations, to explore and promote new avenues for the full, effective, structured and sustainable participation of young people and youth-led organizations in relevant decision-making processes and monitoring, including in designing and implementing policies, programmes and initiatives, while implementing the 2030 Agenda for Sustainable Development;

17. *Also recognizes* the role of the Envoy of the Secretary-General on Youth and her task of bringing the voices of young people to the United Nations system in the areas of advocacy on youth and youth leadership in decision-making, youth engagement for peace and security, humanitarian action and development and of representing the Secretary-General, and encourages the Envoy to continue to work closely with Governments, United Nations entities, civil society, youth organizations, academia and media by empowering and strengthening the position of young people within and outside of the United Nations system, including by conducting country visits, upon the request of the Member States concerned;

18. *Further recognizes* that the international community faces increasing challenges posed by climate change and the loss of biodiversity, which have increased vulnerabilities and inequalities with direct and indirect implications for the well-being of youth, and which could make youth, particularly in developing countries and small island developing States, vulnerable to their adverse impacts, including through suffering disproportionately in labour markets in times of crisis created by climate change, and calls for the enhanced cooperation of and concerted action by Member States with youth in order to address those challenges, taking into account the positive role that the education of youth can play in that respect;

19. *Calls upon* Member States to take concrete measures to further assist youth in armed conflict situations, in accordance with the World Programme of Action for Youth, and to encourage the involvement of young people, where appropriate, in activities concerning the protection of children and youth affected by armed conflict situations, including in conflict prevention, peacebuilding and post-conflict processes, and recognizes the importance of protecting schools and universities from military use in contravention of applicable international law during armed conflicts;

20. *Urges* Member States to take concerted action, in conformity with international law, to remove obstacles to the full realization of the rights of young people living under foreign occupation, colonial rule and in other areas of conflict or post-conflict situations in order to promote the achievement of the goals of the 2030 Agenda for Sustainable Development;

21. *Also urges* Member States to take effective measures, in conformity with international law, to protect young people, including youth in marginalized groups affected or exploited by terrorism and incitement;

22. *Further urges* Member States to consider including youth delegates in their delegations at all relevant discussions in the General Assembly, the Economic and Social Council and its functional commissions and relevant United Nations conferences, as appropriate, bearing in mind the principles of gender balance and non-discrimination, and emphasizes that such youth representatives should be selected through a transparent process that ensures that they have a suitable mandate to represent young people in their countries;

23. *Acknowledges* the increased collaboration through the Inter-Agency Network on Youth Development in developing the United Nations System-wide Action Plan on Youth and requests the United Nations entities, within existing resources, to continue their coordination towards a more coherent, comprehensive and integrated approach to youth development, calls upon the United Nations entities and relevant partners to support national, regional and international efforts in addressing challenges hindering youth development, and in this regard encourages close collaboration with Member States as well as other relevant stakeholders, including civil society;

24. *Calls upon* the United Nations Programme on Youth to continue to act as the focal point within the United Nations system for promoting further collaboration and coordination on youth-related matters;

25. *Calls upon* donors, including Member States and intergovernmental and non-governmental organizations, to actively contribute to the United Nations Youth Fund in order to facilitate the participation of youth representatives from developing countries in the activities of the United Nations, taking into account the need for greater geographical balance in terms of youth representation, as well as to accelerate the implementation of the World Programme of Action for Youth and to support the production of the *World Youth Report*, and in this regard requests the Secretary-General to take appropriate action to encourage contributions to the Fund;

26. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-fourth session on the implementation of the present resolution, to be prepared in consultation with Member States as well as the relevant specialized agencies, funds and programmes and regional commissions, taking into account the work done by the United Nations system, and also encourages the Secretariat to consult, as appropriate, with youth-led and youth-focused organizations.

United Nations A/C.3/72/L.16

General Assembly

Distr.: Limited
18 October 2017

Original: English

Seventy-second session
Third Committee
Agenda item 69 (a)
Rights of indigenous peoples

Argentina, Bolivia (Plurinational State of), Ecuador, Guatemala, Nicaragua and Venezuela (Bolivarian Republic of): draft resolution

Rights of indigenous peoples

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples, reaffirming its resolutions 65/198 of 21 December 2010, 66/142 of 19 December 2011, 67/153 of 20 December 2012, 68/149 of 18 December 2013, 69/2 of 22 September 2014, 69/159 of 18 December 2014, 70/232 of 23 December 2015, 71/178 of 19 December 2016 and 71/321 of 8 September 2017, and recalling Human Rights Council resolutions 27/13 of 25 September 2014,[1] 30/4 of 1 October 2015,[2] 33/12 and 33/13 of 29 September 2016[3] and 36/14 of 28 September 2017,

Reaffirming the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in New York on 22 and 23 September 2014,[4] in which Heads of State and Government, ministers and representatives of Member States reiterated the important and continuing role of the United Nations in promoting and protecting the rights of indigenous peoples, recalling the inclusive preparatory process for the high-level plenary meeting, including the comprehensive engagement of the representatives of indigenous peoples, and welcoming and reaffirming the commitments, measures and efforts undertaken by States, the United Nations system, indigenous peoples and other actors in its implementation,

Encouraging the active engagement of indigenous peoples in the implementation of the outcome document of the high-level plenary meeting of the

[1] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53A* and corrigenda (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.
[2] Ibid., *Seventieth Session, Supplement No. 53A* (A/70/53/Add.1), chap. III.
[3] Ibid., *Seventy-first Session, Supplement No. 53A* and corrigendum (A/71/53/Add.1 and Corr.1), chap. II.
[4] Resolution 69/2.

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General Assembly known as the World Conference on Indigenous Peoples, including at the regional and global levels,

Bearing in mind the 2030 Agenda for Sustainable Development,[5] and stressing the need to ensure that no one is left behind, including indigenous peoples, who will benefit from and participate in the implementation of the 2030 Agenda, and encouraging Member States to give due consideration to all the rights of indigenous peoples while implementing the 2030 Agenda,

Reaffirming the United Nations Declaration on the Rights of Indigenous Peoples,[6] which addresses their individual and collective rights,

Stressing the importance of promoting and pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples also through international cooperation to support national and regional efforts to achieve the ends of the Declaration, including the right to maintain and strengthen the distinct political, legal, economic, social and cultural institutions of indigenous peoples and the right to participate fully, if they so choose, in the political, economic, social and cultural life of the State,

Bearing in mind that the General Assembly resolution 71/1 of 19 September 2016, the New York Declaration for Refugees and Migrants, addresses the special needs of all people in vulnerable situations who are travelling within large movements of refugees and migrants, including indigenous peoples,

Welcoming the convening of the high-level event to mark the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples during its seventy-first session, held on 25 April 2017, which took stock of the achievements of the preceding 10 years and assessed the remaining challenges for the rights of indigenous peoples, and also considered the further follow-up to the Declaration,

Welcoming also the consideration of the empowerment of indigenous women as the focus area of the sixty-first session of the Commission on the Status of Women and the recognition by the Commission that the economic empowerment, inclusion and development of indigenous women, including through the establishment of indigenous-owned businesses, can enable them to improve their social, cultural, civil and political engagement, achieve greater economic independence and build more sustainable and resilient communities, as well as the urging on the part of the Commission that Governments take measures to promote the economic empowerment of indigenous women, including by ensuring access to quality and inclusive education and meaningful participation in the economy by addressing the multiple and intersecting forms of discrimination and barriers they face, including violence, and promote their participation in relevant decision-making processes at all levels and in all areas, while respecting and protecting their traditional and ancestral knowledge, and noting the importance of the United Nations Declaration on the Rights of Indigenous Peoples for indigenous women and girls,

Recognizing that violence against indigenous women and girls has a negative impact on their enjoyment of human rights and fundamental freedoms and constitutes a major impediment to women's full, equal and effective participation in society, the economy and political decision-making, and in this regard recalling Human Rights Council resolution 32/19 of 1 July 2016, entitled "Accelerating efforts to eliminate violence against women: preventing and responding to violence

[5] Resolution 70/1.

[6] Resolution 61/295, annex.

against women and girls, including indigenous women and girls",[7] which brings closer attention to this issue,

Bearing in mind the importance of empowering and building the capacity of indigenous women and youth, including their full and effective participation in decision-making processes in matters that affect them directly, including policies, programmes and resources, where relevant, that target the well-being of indigenous women and youth, in particular in the areas of health, education, employment and the transmission of traditional knowledge, languages and practices, and the importance of taking measures to promote awareness and understanding of their rights,

Deeply concerned at the vast number of endangered languages, in particular indigenous languages, and stressing that, despite the continuing efforts, there is an urgent need to preserve, promote and revitalize indigenous languages,

Recognizing the importance to indigenous peoples of revitalizing, using, developing and transmitting to future generations their histories, languages, oral traditions, philosophies, writing systems and literature,

Expressing concern that, in some cases, suicide rates in indigenous peoples' communities, in particular among indigenous youth and children, are significantly higher than in the general population,

Bearing in mind the importance of promoting respect for the rights of indigenous children, in particular combating the worst forms of child labour, in accordance with international law, including relevant human rights law and international labour law obligations,

Recognizing the importance of access to justice in the promotion and protection of the rights of indigenous peoples and individuals and the need to examine and take steps to remove obstacles to justice, especially for indigenous women, indigenous youth and indigenous persons with disabilities,

Underlining the responsibility of transnational corporations and other business enterprises to respect all human rights, applicable laws and international principles[8] and operate transparently and in a socially and environmentally responsible manner, and emphasizing the need to refrain from negatively affecting the well-being of indigenous peoples and to take further action towards corporate responsibility and accountability, including the prevention, mitigation and remediation of human rights abuses,

Recognizing the value and the diversity of the cultures and the form of social organization of indigenous peoples and their holistic traditional knowledge of their lands, natural resources and environment,

Recognizing also the importance of traditional sustainable agricultural practices, including traditional seed supply systems, as well as access to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate and affordable technologies, including efficient irrigation, the reuse of treated wastewater and water harvesting and storage for indigenous peoples and others living in rural areas,

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[7] See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53), chap. V, sect. A.

[8] Including the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (A/HRC/17/31, annex).

Recognizing further the importance of facilitating indigenous peoples' livelihoods, which may be achieved by, inter alia, the recognition of their traditions, adequate public policies and economic empowerment,

Recognizing that the economic empowerment, inclusion and development of indigenous peoples, including through the establishment of indigenous-owned businesses, can enable them to improve their social, cultural, civil and political engagement, achieve greater economic independence and build more sustainable and resilient communities, and noting the contribution of indigenous peoples to the broader economy,

Concerned about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators and about the impediments to their full enjoyment of their rights, and stressing the need to pay particular attention to the rights and special needs of indigenous women, children, youth, older persons and persons with disabilities, as set out in the United Nations Declaration on the Rights of Indigenous Peoples,

1. *Notes with appreciation* the work of the Expert Mechanism on the Rights of Indigenous Peoples, the Permanent Forum on Indigenous Issues and the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples, takes note of her report,[9] and encourages all Governments to respond favourably to her requests for visits, and to support the work of the Permanent Forum, with its increasingly demanding programme of work, and the Expert Mechanism, whose revised mandate has been expanded;

2. *Urges* Governments and the United Nations system, in consultation and cooperation with indigenous peoples through their representatives and institutions, to continue to implement, when appropriate, measures at the national level, including legislative, policy and administrative measures, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples[6] and to promote awareness of it among all sectors of society, including members of legislatures, the judiciary and the civil service, as well as among indigenous peoples, and invites international and regional organizations, within their respective mandates, national human rights institutions, where they exist, civil society, including non-governmental organizations, and other relevant actors to contribute to those efforts;

3. *Underscores* the importance of implementing the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[4] and reiterates the commitment of Member States to cooperating with indigenous peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples;

4. *Encourages* Member States to give due consideration to all the rights of indigenous peoples in fulfilling the commitments undertaken in the 2030 Agenda for Sustainable Development[5] and in the elaboration of national programmes;

5. *Encourages* the leadership of the Secretary-General, and that of the Under-Secretary-General for Economic and Social Affairs as the responsible senior official of the United Nations system, in implementing and following up on the a system-wide action plan to ensure a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples, raising awareness of the rights of indigenous peoples and increasing the coherence of the activities of

[9] A/71/229.

the system in this regard, and encourages the funds, programmes and specialized agencies of the United Nations system, resident coordinators and United Nations country teams to implement the action plan in full alignment with national development needs and priorities;

6. *Encourages* resident coordinators and United Nations country teams to ensure the full and effective participation of indigenous peoples, including indigenous elders, women, children, youth and indigenous persons with disabilities, in the preparation of the United Nations Development Assistance Frameworks and country programme action plans;

7. *Encourages* Member States to work towards achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples in the light of the tenth anniversary of the adoption of the Declaration;

8. *Calls upon* those States that have not yet ratified or acceded to the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization[10] to consider doing so;

9. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the Trust Fund on Indigenous Issues, the United Nations Voluntary Fund for Indigenous Peoples and the United Nations Indigenous Peoples' Partnership, invites indigenous organizations and private institutions and individuals to do likewise, and notes the importance of accessibility, accountability, transparency and balanced geographical distribution in the management of these funds;

10. *Decides* to continue to observe in New York, Geneva and other United Nations offices every year on 9 August the International Day of Indigenous Peoples, requests the Secretary-General to support the observance of the Day from within existing resources, and encourages Governments to observe the Day at the national level;

11. *Reaffirms* the proclamation of the year of 2019 as the International Year of Indigenous Languages, in order to draw attention to the critical loss of indigenous languages and the urgent need to preserve, revitalize and promote indigenous languages and to take further urgent steps to that end at the national and international levels;

12. *Encourages* the United Nations Educational, Scientific and Cultural Organization to lead the preparations for the International Year of Indigenous Languages in 2019, in collaboration with other relevant agencies and indigenous peoples;

13. *Encourages* States to consider including in their reports related to indigenous peoples, in particular indigenous women, information on the progress made and challenges in the implementation of Commission on the Status of Women resolutions 49/7 of 11 March 2005, entitled "Indigenous women: beyond the ten-year review of the Beijing Declaration and Platform for Action",[11] and 56/4 of 9 March 2012, entitled "Indigenous women: key actors in poverty and hunger eradication";[12]

14. *Also encourages* States to consider including in their voluntary national reviews for the high-level political forum on sustainable development and their national and global reports information related to indigenous peoples on the

[10] United Nations, *Treaty Series*, vol. 1650, No. 28383.

[11] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. D.

[12] Ibid., 2012, *Supplement No. 7* and corrigendum (E/2012/27 and Corr.1), chap. I, sect. D.

progress made and challenges in the implementation of the 2030 Agenda for Sustainable Development, bearing in mind paragraphs 78 and 79 of the 2030 Agenda, and further encourages States to compile disaggregated data on the basis of indigenous identifiers, as appropriate, to measure progress and to ensure that no one is left behind;

15. *Encourages* the Secretary-General to include information pertinent to indigenous peoples in forthcoming annual reports on progress towards the Sustainable Development Goals;

16. *Stresses* the need to strengthen the commitment of States and the entities of the United Nations system to mainstream the promotion and protection of the rights of indigenous peoples into development policies and programmes at the national, regional and international levels, and encourages them to give due consideration to the rights of indigenous peoples in achieving the Sustainable Development Goals of the 2030 Agenda for Sustainable Development, through inclusive mechanisms for consultation with and the participation and representation of indigenous peoples in local, regional, national and international processes and bodies relating to the Goals;

17. *Invites* the Expert Mechanism, the Permanent Forum and the Special Rapporteur to give due consideration, within their mandates, to the rights of indigenous peoples as related to the implementation of the 2030 Agenda;

18. *Encourages* the high-level political forum on sustainable development to consider, in its thematic reviews, the substantive inputs on indigenous issues of the Permanent Forum;

19. *Underlines* the need to intensify efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous women, children, youth, older persons and persons with disabilities, and to support measures that will ensure their empowerment and full and effective participation in decision-making processes at all levels and in all areas and eliminate structural and legal barriers to their full, equal and effective participation in political, economic, social and cultural life;

20. *Reaffirms* the importance of effective accountability with regard to violence against indigenous women and girls, including sexual violence, abuse and exploitation, and of taking adequate measures to combat such violence;

21. *Welcomes* the consideration by the Commission on the Status of Women of the empowerment of indigenous women as the focus area of its sixty-first session and, in this regard, the call, in its agreed conclusions, for measures to promote the economic empowerment of indigenous women, including by ensuring access to quality and inclusive education and meaningful participation in the economy by addressing the multiple and intersecting forms of discrimination and barriers they face, including violence, and to promote their participation in relevant decision-making processes at all levels and in all areas, while respecting and protecting their traditional and ancestral knowledge, and noting the importance for indigenous women and girls of the United Nations Declaration on the Rights of Indigenous Peoples, and encourages States to give serious consideration to the above-mentioned recommendations;

22. *Requests* the Secretary-General and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) to prepare a report by 2018 on the situation of indigenous women's empowerment, taking into consideration the views of the Permanent Forum, the Expert Mechanism o, the Special Rapporteur and indigenous women's organizations;

23. *Encourages* Governments to redouble efforts to combat the worst forms of child labour, both in legislation and in practice, in the context of respect for the human rights of indigenous children, including through international cooperation, as appropriate;

24. *Encourages* States and entities of the United Nations system to strengthen international cooperation, including to address the disadvantages faced by indigenous peoples, and to increase technical cooperation and financial assistance in this regard;

25. *Encourages* the World Health Organization, the United Nations Children's Fund and other relevant United Nations agencies, funds and programmes, in accordance with their mandates, to carry out research and evidence-gathering on the prevalence of suicide among indigenous youth and children and good practices on its prevention and to consider developing, as appropriate, strategies or policies, consistent with national priorities, in cooperation with Member States, to tackle it, including through consultation with indigenous peoples, in particular indigenous youth organizations;

26. *Takes note with appreciation* of the work undertaken thus far, led by the Presidents of the General Assembly at its seventieth and seventy-first sessions, in conducting consultations with Member States, indigenous peoples' representatives and institutions from all regions of the world, and existing mechanisms of the United Nations, on possible measures to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them, which led to the adoption of resolution 71/321, and recalls its decision, in that resolution, to continue its consideration of possible further measures necessary to enhance the participation of indigenous peoples' representatives and institutions in relevant United Nations meetings on issues affecting them at its seventy-fifth session, taking into account the achievements in that regard of other bodies and organizations throughout the United Nations system, to be preceded by consultations with indigenous peoples' representatives and institutions from all regions of the world as an input to the intergovernmental process;

27. *Decides* to continue its consideration of the question at its seventy-third session, under the item entitled "Rights of indigenous peoples", and to maintain in the provisional agenda the sub-item entitled "Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples".

United Nations A/C.3/72/L.17

General Assembly

Distr.: Limited
20 October 2017

Original: English

Seventy-second session
Third Committee
Agenda item 28 (a)
Advancement of women: advancement of women

Indonesia and Philippines: draft resolution

Violence against women migrant workers

The General Assembly,

Recalling all of its previous resolutions on violence against women migrant workers and those adopted by the Commission on the Status of Women, the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice, and also recalling the Declaration on the Elimination of Violence against Women,[1]

Reaffirming the provisions concerning women migrant workers contained in the outcome documents of the World Conference on Human Rights,[2] the International Conference on Population and Development,[3] the Fourth World Conference on Women[4] and the World Summit for Social Development[5] and their reviews,

Reaffirming also the provisions concerning women migrants contained in the outcome document of the United Nations Conference on Sustainable Development,[6] and calling upon States to promote and protect effectively the human rights and fundamental freedoms of all migrants regardless of migration status, especially those of women and children, and to encourage their active participation, as appropriate, in processes that contribute to decision-making, planning and implementation of policies and programmes for sustainable development at all levels,

[1] Resolution 48/104.
[2] A/CONF.157/24 (Part I), chap. III.
[3] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.
[4] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.
[5] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.
[6] Resolution 66/288, annex.

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Reaffirming further that the Convention on the Elimination of All Forms of Discrimination against Women[7] and the Convention on the Rights of the Child[8] and the Optional Protocols thereto,[9] as well as other relevant conventions and treaties, provide an international legal framework and a comprehensive set of measures for the elimination and prevention of all forms of discrimination and violence against women and girls and for the promotion of gender equality and the empowerment of women,

Recalling the adoption of the 2030 Agenda for Sustainable Development,[10] acknowledging that the 2030 Agenda covers the achievement of gender equality and empowerment of all women and girls and the protection of labour rights and promotion of safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment, and also acknowledging the need, inter alia, to end all violence and discrimination against them,

Welcoming the adoption of the New York Declaration for Refugees and Migrants at the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants, held on 19 September 2016,[11] and the commitment by Member States to ensure that responses to large movements of refugees and migrants mainstream a gender perspective, promote gender equality and the empowerment of all women and girls and fully respect and protect the human rights of women and girls and to combat sexual and gender-based violence to the greatest extent possible,

Acknowledging the role of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), including in supporting national efforts, to increase women's access to economic opportunities, including for women migrant workers, and to end violence against them, in the light of the UN-Women strategic plan, 2018-2021,[12]

Acknowledging also the need to protect the labour rights of and provide a safe environment for migrant workers and those in precarious employment,

Reaffirming the outcomes of the Fourth World Conference on Women, the Beijing Declaration and Platform for Action,[4] and of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[13] and their reviews,

Welcoming the agreed conclusions adopted by the Commission on the Status of Women at its sixty-first session,[14] taking note of the need to address the special situation and vulnerability of migrant women and its concern that many migrant women, particularly those who are employed in the informal economy and in less skilled work, are especially vulnerable to abuse and exploitation, and underlining in this regard the obligation of States to protect the human rights of migrants so as to prevent and address abuse and exploitation,

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[7] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[8] Ibid., vol. 1577, No. 27531.

[9] Ibid., vol. 2131, No. 20378; and vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

[10] Resolution 70/1.

[11] Resolution 71/1.

[12] UNW/2017/6/Rev.1 (to be issued).

[13] Resolution S-23/2, annex, and resolution S-23/3, annex.

[14] *Official Records of the Economic and Social Council, 2017, Supplement No. 7* (E/2017/27), chap. I, sect. A.

Recalling the agreed conclusions adopted by the Commission on the Status of Women at its fifty-seventh session,[15] and taking note, in particular, of the commitment, as appropriate, to further adopt and implement measures to ensure the social and legal inclusion and protection of women migrants, including women migrant workers in countries of origin, transit and destination, promote and protect the full realization of their human rights and their protection against violence and exploitation, implement gender-sensitive policies and programmes for women migrant workers and provide safe and legal channels that recognize their skills and education, provide fair labour conditions and, as appropriate, facilitate their productive employment and decent work as well as their integration into the labour force,

Recalling also the declaration of the United Nations High-level Dialogue on International Migration and Development,[16] held on 3 and 4 October 2013, which reaffirmed the need to promote and protect effectively the human rights and fundamental freedoms of all migrants, regardless of their migration status, especially those of women and children, and to address international migration through international, regional or bilateral cooperation and dialogue and through a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrants and avoiding approaches that might aggravate their vulnerability,

Recalling further that the declaration recognized that women and girls account for almost half of all international migrants at the global level and the need to address the special situation and vulnerability of migrant women and girls by, inter alia, incorporating a gender perspective into policies and strengthening national laws, institutions and programmes to combat gender-based violence, including trafficking in persons and discrimination against them, and emphasized in this regard the need to establish appropriate measures for the protection of women migrant workers in all sectors, including those involved in domestic work,

Recognizing the importance of the ratification and implementation of the Domestic Workers Convention, 2011 (No. 189) and Recommendation No. 201 on decent work for domestic workers of the International Labour Organization, and the importance of extending effective labour protection to these categories of workers, among others, without discrimination on the basis of sex, nationality or migration status,

Encouraging States parties to the Convention on the Elimination of All Forms of Discrimination against Women to take note of and consider general recommendation No. 26 on women migrant workers, adopted by the Committee on the Elimination of Discrimination against Women in November 2008,[17] encouraging States parties to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[18] to take note of and consider general comment No. 1 on migrant domestic workers adopted by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families in December 2010,[19] acknowledging that they are complementary and mutually reinforcing, and encouraging States parties to the Migrant Workers (Supplementary

[15] Ibid., 2013, *Supplement No. 7* (E/2013/27), chap. I, sect. A.
[16] Resolution 68/4.
[17] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 38* (A/64/38), part one, annex I, decision 42/I.
[18] United Nations, *Treaty Series*, vol. 2220, No. 39481.
[19] CMW/C/GC/1.

Provisions) Convention, 1975 (No. 143)[20] of the International Labour Organization, to ensure respect for the basic human rights of all migrant workers,

Recognizing the urgency of combating trafficking in persons in all its forms, including for the purposes of forced or compulsory labour, particularly of women migrant workers, and in this regard taking note of the adoption by the International Labour Conference on 11 June 2014, at its 103rd session, of the Protocol to the Forced Labour Convention, 1930 (No. 29), and of Recommendation No. 203 on supplementary measures for the effective suppression of forced labour, of the International Labour Organization,

Recognizing also the increasing participation of women of all skill levels in international migration, driven in large part by socioeconomic factors, and that this feminization of migration requires greater gender sensitivity in all policies and efforts related to the subject of international migration,

Recognizing further that the demand for migrant care work appears to be rising, where the failure to resolve care deficits and secure public provision of care has increased the demand for care work, particularly in the private sphere, and that some migrant workers engaged in informal care work, particularly women, face serious human rights abuses owing to the invisible nature of their workplace, while many benefit from the economic opportunities offered by care work,

Recognizing the roles and responsibilities of and need for cooperation among all stakeholders, in particular countries of origin, transit and destination, relevant regional and international organizations, the private sector and civil society, in promoting an environment that prevents and addresses violence against women migrant workers, including in the context of discrimination, through targeted measures, and in this regard recognizing the importance of joint and collaborative approaches and strategies at the national, bilateral, regional and international levels,

Recognizing also the positive contribution of migrant women and girls, in particular women migrant workers, to sustainable development in countries of origin and destination, and underlining the value and dignity of their labour, in all sectors, including the labour of domestic and care workers,

Recognizing further the particular vulnerability and needs of women and their children at all stages of the migration process, extending from the moment of deciding to migrate, and including transit, engagement in formal and informal employment and integration into the host society, as well as during their return to and reintegration in their countries of origin,

Expressing deep concern at the continuing reports of grave abuses and violence committed against migrant women and girls, including gender-based violence, sexual violence, domestic and family violence, racist and xenophobic acts, discrimination, abusive labour practices, exploitative conditions of work and contemporary forms of slavery, inter alia, all forms of forced labour and trafficking in persons,

Recognizing that one of the key causes of the labour exploitation suffered by migrants, including women migrant workers, is linked to the unscrupulous practices of some recruitment agencies and informal brokers that charge high recruitment fees, and noting with concern the reports of abuse committed by some recruitment agencies and employers,

[20] United Nations, *Treaty Series*, vol. 1120, No. 17426

Recognizing also that the intersection of, inter alia, gender, age, class, race and ethnic discrimination and stereotypes can compound the discrimination faced by women migrant workers and that gender-based violence is a form of discrimination,

Reaffirming the commitment to respect, protect and promote the human rights of all women, including, without discrimination, indigenous women who migrate for work, and in this regard noting the attention paid in the United Nations Declaration on the Rights of Indigenous Peoples[21] to the elimination of all forms of violence and discrimination against indigenous women, as appropriate,

Concerned that many migrant women who are employed in the informal economy and in less skilled work are especially vulnerable to abuse and exploitation, underlining in this regard the obligation of States to protect the human rights of migrants so as to prevent and address abuse and exploitation, observing with concern that many women migrant workers take on jobs for which they may be overqualified and in which, at the same time, they may be more vulnerable because of poor pay and inadequate social protection, and in this regard taking note of the adoption by the International Labour Conference on 12 June 2015, at its 104th session, of Recommendation No. 204 concerning the transition from the informal to the formal economy,

Recognizing that migrant women are often restricted to gendered and informal occupations, such as care and domestic work, in which legal protection of their labour rights is limited, heightening the risk of exploitation,

Emphasizing the need for objective, comprehensive and broad-based information, including sex- and age-disaggregated data and statistics, and gender-sensitive indicators for research and analysis, and a wide exchange of experience and lessons learned by individual Member States and civil society in the formulation of targeted policies and concrete strategies to specifically address violence against women migrant workers, including in the context of discrimination,

Realizing that the movement of a significant number of women migrant workers may be facilitated and made possible by means of fraudulent or irregular documentation and sham marriages with the object of migration, that this may be facilitated through, inter alia, the Internet and that those women migrant workers are more vulnerable to abuse and exploitation,

Recognizing the importance of exploring the link between migration and trafficking in persons in order to further efforts towards protecting women migrant workers from violence, discrimination, exploitation and abuse,

Recognizing also that the vulnerabilities documented for women migrant workers highlight increasingly complex migration contexts and channels, where migrant workers may find themselves in life-threatening situations when entering other countries,

Encouraged by some measures adopted by some countries of destination to alleviate the plight of women migrant workers residing in their areas of jurisdiction and to promote access to justice, such as the establishment of gender-sensitive protection mechanisms for migrant workers, facilitating their access to mechanisms for reporting complaints or providing assistance during legal proceedings,

Underlining the important role of relevant United Nations treaty bodies in monitoring the implementation of human rights conventions and of the relevant special procedures, as well as of the supervisory mechanisms of the International Labour Organization in monitoring the implementation of labour rights instruments,

[21] Resolution 61/295, annex.

within their respective mandates, in addressing the problem of violence against women migrant workers and in protecting and promoting their human rights and welfare,

1. *Takes note with appreciation* of the report of the Secretary-General on violence against women migrant workers;[22]

2. *Also takes note with appreciation* of the report of the Secretary-General on the review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session of the General Assembly,[23] which highlights, inter alia, that overall progress in the implementation of the Platform for Action has been particularly slow for women and girls who experience multiple and intersecting forms of discrimination and that marginalized groups of women, including migrant women, are at particular risk of discrimination and violence;

3. *Urges* Member States to consider ratifying relevant International Labour Organization conventions, including the Migration for Employment Convention (Revised), 1949 (No. 97),[24] the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143),[25] the Private Employment Agencies Convention, 1997 (No. 181)[26] and the Domestic Workers Convention, 2011 (No. 189), and to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[18] the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[27] the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[28] the 1954 Convention relating to the Status of Stateless Persons[29] and the 1961 Convention on the Reduction of Statelessness,[30] as well as all other human rights treaties that contribute to the protection of the rights of women migrant workers, calls upon States parties to comply with their relevant obligations under international law, and encourages Member States to implement the United Nations Global Plan of Action to Combat Trafficking in Persons;[31]

4. *Takes note* of the reports of the Special Rapporteur of the Human Rights Council on the human rights of migrants submitted to the Council at its seventeenth and twentieth sessions,[32] in particular their elaboration of the vulnerabilities and challenges faced by irregular migrants, including negative public perceptions and limited access to protection, assistance and justice, and of the report of the Special Rapporteur submitted to the Council at its twenty-sixth session,[33] in particular the focus of its thematic part on labour exploitation of migrants, covering some of the most common manifestations of labour exploitation affecting migrants;

5. *Encourages* all United Nations agencies and special rapporteurs on human rights whose mandates touch on the issues of violence against women migrant workers to improve the collection of information on and analysis of those

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[22] A/72/215.
[23] E/CN.6/2015/3.
[24] United Nations, *Treaty Series*, vol. 120, No. 1616.
[25] Ibid., vol. 1120, No. 17426.
[26] Ibid., vol. 2115, No. 36794.
[27] Ibid., vol. 2237, No. 39574.
[28] Ibid., vol. 2241, No. 39574.
[29] Ibid., vol. 360, No. 5158.
[30] Ibid., vol. 989, No. 14458.
[31] Resolution 64/293.
[32] A/HRC/17/33 and A/HRC/20/24.
[33] A/HRC/26/35.

areas within their mandates relating to the current challenges facing women migrant workers, including in supply chains, and also encourages Governments to cooperate with the agencies and special rapporteurs in this regard;

6. *Calls upon* all Governments to incorporate a human rights, gender-sensitive and people-centred perspective in legislation, policies and programmes on international migration and on labour and employment, consistent with their human rights obligations and commitments under human rights instruments, for the prevention of and protection of migrant women against violence and discrimination, exploitation and abuse, to take effective measures to ensure that such migration and labour policies do not reinforce discrimination, and, where necessary, to conduct impact assessment studies of such legislation, policies and programmes in order to identify the impact of measures taken and the results achieved in regard to women migrant workers;

7. *Also calls upon* Governments to adopt or strengthen normative and legal frameworks to protect the human rights of women migrant workers, including domestic workers, regardless of their immigration status, including in policies that regulate the recruitment and deployment of women migrant workers, to consider expanding dialogue among States on devising innovative methods to promote legal channels of migration, inter alia, in order to deter irregular migration, to consider incorporating a gender perspective into immigration laws in order to prevent discrimination and violence against women, including in independent, circular and temporary migration, and to consider permitting, in accordance with national legislation, women migrant workers who are victims of violence to apply for residency permits independently of abusive employers or spouses, and to eliminate abusive sponsorship systems;

8. *Encourages* Governments to ensure that the global compact for safe, orderly and regular migration promotes gender equality and the empowerment of all migrant women and girls and tackles all forms of violence perpetrated against them;

9. *Also encourages* Governments to adopt and implement laws and policies to promote ethical recruitment;

10. *Further encourages* Governments to seek to address the push and pull factors surrounding women's irregular migration, including the need to resolve care deficits in labour-importing countries and to regulate, formalize, professionalize and protect the terms and conditions of employment in care work, in line with national law and applicable obligations under international law;

11. *Urges* Governments to enhance bilateral, regional, interregional and international cooperation to address violence against women migrant workers, fully respecting international law, including international human rights law, as well as to strengthen efforts to reduce the vulnerability of women migrant workers by promoting decent work, by, inter alia, adopting minimum wage policies and employment contracts in accordance with applicable laws and regulations, facilitating effective access to justice and effective action in the areas of law enforcement, prosecution, prevention, capacity-building and victim protection and support, exchanging information and good practices in combating violence and discrimination against women migrant workers and fostering sustainable development alternatives to migration in countries of origin;

12. *Also urges* Governments to take into account the best interests of the child by adopting or strengthening measures to respect, promote and protect the human rights of migrant children, especially girls, including unaccompanied girls, regardless of their immigration status, so as to prevent labour and economic

exploitation, discrimination, commercial sexual exploitation, sexual harassment, violence and sexual abuse in the workplace, including in domestic work;

13. *Further urges* Governments to strongly encourage all stakeholders, especially the private sector, including employment agencies involved in recruiting women migrant workers, to strengthen the focus on and funding support for the prevention of violence against women migrant workers, in particular by promoting the access of women to meaningful and gender-sensitive information and education on, inter alia, the costs and benefits of migration, rights and benefits to which they are entitled in the countries of origin and employment, overall conditions in countries of employment and procedures for legal migration, as well as to ensure that laws and policies governing recruiters, employers and intermediaries promote adherence to and respect for the human rights and, where applicable, labour rights of migrant workers, particularly women;

14. *Encourages* all States to remove obstacles that may prevent the transparent, safe, unrestricted and expeditious transfer of remittances of migrants to their countries of origin or to any other countries, including, where appropriate, by reducing transaction costs and implementing woman-friendly remittance transfer, savings and investment schemes, including diaspora investment schemes, in conformity with applicable national legislation, and to consider, as appropriate, measures to solve other problems that may impede the access of women migrant workers to and their management of their economic resources;

15. *Also encourages* States to consider designing and implementing financial literacy training programmes for women migrant workers and, where appropriate, their families, and other programmes that may contribute to the full development impact of migration;

16. *Calls upon* States to address the structural and underlying causes of violence against women migrant workers through education, dissemination of information and awareness-raising, by promoting their empowerment and access to decent work and, where relevant, their integration into the formal economy, in particular in economic decision-making, and by promoting their participation in public life, as appropriate;

17. *Calls upon* Governments to promote access to adequate health-care services for women migrant workers and their accompanying children;

18. *Also calls upon* Governments to recognize the right of women migrant workers and their accompanying children, regardless of their immigration status, to have access without discrimination to emergency health care, including in times of humanitarian crises, natural disasters and other emergency situations, and in this regard to ensure that women migrant workers are not discriminated against on the grounds of pregnancy and childbirth and, in accordance with national legislation, to address the vulnerabilities to HIV experienced by migrant populations and support their access to HIV prevention, treatment, care and support;

19. *Encourages* Governments to ensure the appropriate use of voluntary and confidential HIV testing and pregnancy testing to prevent unwarranted barriers prior to and during migration;

20. *Urges* States to ensure that legislation in countries of transit and destination clearly differentiates between irregular migrants and victims of trafficking to prevent the general classification of such victims as criminals;

21. *Also urges* States to recognize the significant contributions and leadership of women in migrant communities and to take appropriate steps to ensure their full, equal and meaningful participation in the development of local solutions

and opportunities, and also to recognize the importance of protecting labour rights and a safe environment for migrant workers and those in precarious employment, protecting women migrant workers in all sectors and promoting labour mobility, including circular migration, in line with the New York Declaration for Refugees and Migrants;[11]

22. *Further urges* States that have not yet done so to adopt and implement legislation and policies that protect all women migrant workers, including those in domestic work, to include therein, and improve where necessary, relevant monitoring and inspection measures, in line with applicable International Labour Organization conventions and other instruments to ensure compliance with international obligations and to grant women migrant workers in domestic service access to gender-sensitive, transparent mechanisms for bringing complaints against recruitment agencies and employers, including terminating their contracts in cases of labour and economic exploitation, discrimination, sexual harassment, violence and sexual abuse in the workplace, while stressing that such instruments should not punish women migrant workers, and calls upon States to promptly investigate and punish all violations of their rights;

23. *Urges* Governments to support enhanced reception and reintegration assistance for those who return, with particular attention to the needs of migrants in vulnerable situations;

24. *Calls upon* Governments, in cooperation with international organizations, non-governmental organizations, the private sector and other stakeholders, to provide women migrant workers who are victims of violence, irrespective of their immigration status, in line with domestic legislation, with the full range of emergency assistance and protection and, to the extent possible, with gender-sensitive services that are culturally and linguistically appropriate and include provision of information on the rights of women migrant workers, hotlines, dispute resolution mechanisms, legal aid, psychological support and trauma counselling, social services, women-only spaces and access to women's shelters, in accordance with relevant international human rights instruments and applicable conventions;

25. *Also calls upon* Governments to ensure that legislative provisions and judicial processes are in place for women migrant workers to access justice, to enhance, develop or maintain legal frameworks and specific gender-sensitive policies to explicitly meet their needs and rights and, where necessary, to take appropriate steps to reform existing legislation and policies to capture their needs and protect their rights;

26. *Further calls upon* Governments, in particular those of the countries of origin and destination, to put in place penal and criminal sanctions, in order to punish perpetrators of violence against women migrant workers and intermediaries, and gender-sensitive redress and justice mechanisms that victims can access effectively and that allow their views and concerns to be presented and considered at appropriate stages of proceedings, including other measures that will allow victims to be present during the judicial process, when possible, and to protect women migrant workers who are victims of violence from revictimization, including by authorities;

27. *Urges* all States to adopt and implement effective measures to put an end to the arbitrary arrest and detention of women migrant workers and to take action to prevent and punish any form of illegal deprivation of the liberty of women migrant workers by individuals or groups;

28. *Encourages* Governments to formulate, implement and refine training programmes for their law enforcement officials, immigration officers and border

officials, diplomatic and consular officials, judiciary, prosecutors, public sector medical staff and other service providers, with a view to sensitizing those public sector workers to the issue of violence against women migrant workers and imparting to them the necessary skills and attitude to ensure the delivery of proper, professional and gender-sensitive interventions;

29. *Also encourages* Governments to promote coherence between migration, labour and anti-trafficking policies and programmes concerning women migrant workers, based on a human rights, gender-sensitive and people-centred perspective, to ensure that the human rights of women migrant workers are protected throughout the migration process and to enhance efforts to prevent violence against women migrant workers, prosecute perpetrators and protect and support victims and their families;

30. *Calls upon* States, in accordance with the provisions of article 36 of the Vienna Convention on Consular Relations,[14] to ensure that, if a woman migrant worker is arrested or committed to prison or custody pending trial, or is detained in any other manner, the competent authorities respect her freedom to communicate with and have access to the consular officials of the country of her nationality and, in this regard, to inform without delay, if that woman migrant worker so requests, the consular post of her State of nationality;

31. *Invites* the United Nations system and other concerned intergovernmental and non-governmental organizations to cooperate with Governments, within existing resources, towards a better understanding of the issues concerning women and international migration, and to improve the collection, dissemination and analysis of sex- and age-disaggregated data and information in order to assist in the formulation of migration and labour policies that are, inter alia, gender-sensitive and that protect human rights, as well as to aid in policy assessment and to continue to support national efforts to address violence against women migrant workers in a coordinated way that ensures effective implementation, enhances their impact and strengthens positive outcomes for women migrant workers;

32. *Encourages* Governments, in accordance with their applicable legal obligations, to formulate national policies concerning women migrant workers that are based on up-to-date, relevant sex-disaggregated data and analysis, in close consultation with women migrant workers and relevant stakeholders throughout the policy process, and also encourages Governments to ensure that this process is adequately resourced and that the resulting policies have measurable targets and indicators, timetables and monitoring and accountability measures, in particular for employment agencies, employers and public officials, and provide for impact assessments and ensure multi-sector coordination within and between countries of origin, transit and destination through appropriate mechanisms;

33. *Encourages* concerned Governments, in particular those of countries of origin, transit and destination, to avail themselves of the expertise of the United Nations, including the Statistics Division of the Department of Economic and Social Affairs of the Secretariat, the International Labour Organization and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), to develop and enhance appropriate sex-disaggregated national data collection, analysis and dissemination methodologies that will generate comparable data, and tracking and reporting systems on violence against women migrant workers and, wherever possible, on violations of their rights at all stages of the migration process, and:

[14] United Nations, *Treaty Series*, vol. 596, No. 8638.

(a) To further study the costs of violence against women, including migrant workers, to the women themselves, their families and their communities;

(b) To analyse the opportunities available to women migrant workers and their impact on development;

(c) To further assess and measure recruitment costs and fees through the provision of appropriate sex-disaggregated data and analysis;

(d) To support the improvement of macrodata on migration costs and on remittances, for appropriate policy formulation and implementation;

34. *Requests* Governments and international organizations to take appropriate measures to give due consideration to the Declaration of the High-level Dialogue on International Migration and Development,[16] held in New York on 3 and 4 October 2013, in order to ensure that the human rights and human development aspects of women's migration are adequately integrated into national, regional and international development policy and practice, such as poverty reduction strategies and strategies aimed at implementing the 2030 Agenda for Sustainable Development;

35. *Encourages* the United Nations system and related entities to continue and step up their efforts and promote partnerships with all stakeholders, including civil society organizations, and to coordinate their work in support, as appropriate, of effective implementation of relevant international and regional instruments in order to enhance their impact through concrete positive outcomes for the advancement of the rights of women migrant workers;

36. *Requests* the Secretary-General to provide a comprehensive, analytical and thematic report to the General Assembly at its seventy-fourth session on the problem of violence against women migrant workers, especially domestic workers, and on the implementation of the present resolution, taking into account updated information from the organizations of the United Nations system, in particular the International Labour Organization, the United Nations Development Programme, UN-Women and the United Nations Office on Drugs and Crime, as well as the reports of special rapporteurs that refer to the situation of women migrant workers and other relevant sources, such as the International Organization for Migration, including non-governmental organizations.

United Nations

A/C.3/72/L.18

General Assembly

Distr.: Limited
20 October 2017

Original: English

Seventy-second session
Third Committee
Agenda item 72 (a)
Promotion and protection of human rights: implementation of human rights instruments

Bangladesh, Bulgaria, Estonia, Finland, Georgia, Iceland, Mexico, New Zealand and Sweden: draft resolution

Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto: situation of women and girls with disabilities

The General Assembly,

Recalling its previous relevant resolutions, the most recent of which was resolution 70/145 of 17 December 2015, as well as relevant resolutions of the Human Rights Council and of the Economic and Social Council and its functional commissions,

Recalling also the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities, including women and girls with disabilities, to be guaranteed the full enjoyment of their rights and freedoms without discrimination,

Reaffirming the Universal Declaration of Human Rights,[1] the Convention on the Rights of Persons with Disabilities[2] and the Optional Protocol thereto,[3] the Convention on the Elimination of All Forms of Discrimination against Women,[4] the Convention on the Rights of the Child[5] and all other relevant international human rights instruments,

Welcoming general comment No. 3 of the Committee on the Rights of Persons with Disabilities, on women and girls with disabilities,[6]

Welcoming the inclusion of both gender equality and the empowerment of all women and girls as a stand-alone goal and its integration into all goals and targets

[1] Resolution 217 A (III).
[2] United Nations, *Treaty Series*, vol. 2515, No. 44910.
[3] Ibid., vol. 2518, No. 44910.
[4] Ibid., vol. 1249, No. 20378.
[5] Ibid., vol. 1577, No. 27531.
[6] CRPD/C/GC/3.

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of the 2030 Agenda for Sustainable Development, and the recognition that realizing gender equality and the empowerment of women and girls will make a crucial contribution to progress across all the Goals and targets which contribute to the empowerment of women and girls with disabilities,

Recalling the Vienna Declaration and Programme of Action,[7] the Programme of Action of the International Conference on Population and Development,[8] the Beijing Declaration and Platform for Action[9] and the outcome documents of their review conferences,

Welcoming the fact that, since the opening for signature of the Convention and the Optional Protocol thereto on 30 March 2007, 160 States have signed and 175 States and 1 regional integration organization have ratified or acceded to the Convention and 92 States have signed and 92 States have ratified the Optional Protocol,

Noting with appreciation the work and activities that have been and continue to be undertaken in support of the Convention and towards the fulfilment and mainstreaming of the rights of persons with disabilities, including the rights of women and girls with disabilities through, inter alia, the Conference of States Parties to the Convention, the Committee on the Rights of Persons with Disabilities, the Special Rapporteur on the rights of persons with disabilities, the Special Envoy of the Secretary-General on Disability and Accessibility, and the Inter-Agency Support Group to the Convention and the Inter-Agency Standing Committee Task Team on Inclusion of Persons with Disabilities in Humanitarian Action,

Expressing concern that women and girls with disabilities face multiple and intersecting forms of discrimination, which limit their enjoyment of all human rights and fundamental freedoms on an equal basis with others, particularly with regard to equal access to education and employment, access to health services, including sexual and reproductive health services, access to justice and equal recognition before the law, the ability to participate politically, live independently and be included in the community and exercise control over their own lives,

Expressing concern also that structural or systemic discrimination is reflected in hidden or overt patterns of discriminatory institutional behaviour, discriminatory cultural traditions, discriminatory and negative social norms, rules and attitudes, and unequal power relations that view women and girls, in particular women and girls with disabilities, as subordinate to men and boys,

Deeply concerned that stereotypes, stigmatization and discrimination heighten the risk of violence, exploitation and abuse, including sexual violence and abuse, against women and girls with disabilities compared to other women and girls, as well as men and boys with disabilities,

Concerned that the continuing lack of reliable statistics, data and information on the situation of women and girls with disabilities at the national, regional and global levels contributes to their exclusion in official statistics, policies and programmes, and in this regard recognizing the need to intensify efforts to strengthen data collection and analysis, and disaggregate data by disability, gender and age to support the development of evidence-based policies and programmes inclusive of women and girls with disabilities,

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[7] A/CONF.157/24 (Part I), chap. III.

[8] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

Recognizing the need for States to accelerate the development, implementation and mainstreaming of strategies that respect, protect and fulfil the rights of all women and girls with disabilities to the enjoyment of civil, political, economic, cultural and social rights without discrimination by adopting legislation, policies and programmes that are inclusive of all women and girls with disabilities, and affirming that realizing their human rights requires the full, effective and meaningful participation and inclusion of women and girls with disabilities in all aspects of public, political, economic, cultural, social and family life, on an equal footing with all others,

Stressing the importance of closely consulting and actively involving women and girls with disabilities and their representative organizations in the development and implementation of legislation and policies that have an impact on their lives and in other decision-making processes concerning issues relating to persons with disabilities,

Acknowledging the importance of taking measures to raise awareness of the rights of women and girls with disabilities in order to combat stereotypes, prejudices and harmful practices which seriously violate and impair or nullify the enjoyment of all human rights and fundamental freedoms by women and girls with disabilities and constitute major impediments to their full, equal and effective participation in society, the economy and political decision-making,

1. *Calls upon* those States that have not yet done so to consider signing and ratifying the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto as a matter of priority;

2. *Encourages* States that have ratified the Convention and submitted one or more reservations to it to review regularly the effect and continued relevance of such reservations and to consider the possibility of withdrawing them;

3. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations, to continue to strengthen efforts undertaken to disseminate accessible and easy to understand information on the Convention and the Optional Protocol thereto, including to children and young people to promote their understanding, and to assist States parties in implementing their obligations under those instruments;

4. *Welcomes* the report of the Secretary-General on the situation of women and girls with disabilities and the status of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto[10] and the report of the Special Rapporteur of the Human Rights Council on the rights of persons with disabilities on sexual and reproductive health and rights of girls and young women with disabilities;[11]

5. *Invites* the Special Rapporteur of the Human Rights Council on the rights of persons with disabilities to address and engage in an interactive dialogue with the General Assembly annually, under the item entitled "Promotion and protection of human rights", as a way to enhance communication between the Assembly and the Committee on the Rights of Persons with Disabilities;

6. *Emphasizes* the importance of mainstreaming disability-related issues as an integral part of relevant sustainable development strategies, and encourages States to apply a human rights-based approach and to intensify their efforts to advance the rights of persons with disabilities in the implementation of the 2030

[10] A/72/227.
[11] A/72/133.

Agenda for Sustainable Development, consistent with their international obligations;

7. *Urges* States to combat multiple and intersecting forms discrimination against women and girls with disabilities through repealing discriminatory laws, policies and practices that prevent women and girls with disabilities from enjoying all the rights enshrined in the Convention, including outlawing gender- and disability-based discrimination and its intersectional forms;

8. *Calls upon* States to adopt effective measures to provide women and girls with disabilities access to the support they may require to exercise their legal capacity to give their free and informed consent and to take decisions about their own lives;

9. *Also calls upon* States to strengthen efforts to empower women and girls with disabilities and enhance their participation and leadership in society through addressing all barriers that prevent or restrict the participation of women and girls with disabilities and ensuring that women and girls with disabilities are closely consulted and actively involved in the design, implementation and monitoring of all legislation, policies and programmes which have an impact on their lives, including in the government and public sector, the private sector and disability and gender movements and in all branches and bodies of the national monitoring system;

10. *Urges* States to review and repeal any law or policy that restricts women with disabilities from their effective and full participation in political and public life on an equal basis with others, including in respect of the right to form and join organizations and networks of women in general and of women with disabilities in particular;

11. *Calls upon* States to support and promote the creation of organizations, including civil society organizations, and networks of women and girls with disabilities, and to support and encourage women with disabilities to take leadership roles in public decision-making bodies at all levels, and recognizes the importance for States of having an open, inclusive and transparent engagement with civil society in the implementation of measures on women and girls with disabilities;

12. *Also calls upon* States to strengthen and intensify their efforts to take deliberate, concrete and targeted steps to fully realize the equal enjoyment of the right to inclusive education by all women and girls with disabilities, to eliminate legal, administrative, financial, structural, social and cultural barriers that hinder their equal enjoyment of the right to education and the right of women to work on an equal basis with others;

13. *Further calls upon* States to implement effective measures to ensure that women with disabilities have access to decent work on an equal basis with all others in the public and private sectors, that labour markets and work environments are open, inclusive and accessible to persons with disabilities, and in this regard take positive measures to increase employment of women with disabilities and eliminate discrimination on the basis of disability with regard to all matters concerning all forms of employment, including recruitment, retention and promotion, and the provision of safe, secure and healthy working conditions, in consultation with relevant national mechanisms and organizations of persons with disabilities;

14. *Calls upon* States to take effective action to prevent and eliminate violence, exploitation and abuse, including sexual violence and abuse, against women and girls with disabilities without delay through, inter alia:

(a) Adopting and amending legislation on violence against women to ensure that it expressly prohibits and provides adequate protection for women and girls

with disabilities against all forms of violence, including domestic and intimate partner violence and violence perpetrated by caregivers, health-care providers, religious leaders and others in positions of authority, and ends impunity and adequately penalizes offences involving physical, sexual, psychological and economic violence occurring in families, in institutions and carried out by caregivers;

(b) Taking all appropriate measures to eliminate discrimination on the basis of gender and/or impairment by any person, organization or private enterprise, including to exercise due diligence by preventing violence or violations of human rights, ensuring access to justice and accountability mechanisms and remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating discrimination and violence against women and girls with disabilities, taking into account the multiple, intersecting and aggravating forms of discrimination, and protecting victims and witnesses from violations while investigating, prosecuting and punishing those responsible, including private actors, and providing access to redress and reparations where human rights violations occur;

(c) Ensuring that services and programmes designed to protect women and girls from violence are accessible to women and girls with disabilities, including by ensuring that facilities are accessible, mainstreaming disability in materials and training courses addressed at professionals working on violence against women, and ensuring dissemination of information on available protection and other available services in accessible formats;

15. *Urges* States to take all appropriate measures to eliminate discrimination against women and girls with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, to promote gender equality and women's empowerment, to address violence against women and girls, and to provide timely and appropriate reintegration and rehabilitation assistance to persons with disabilities, while ensuring that their specific needs are addressed, such as access to health services, including sexual and reproductive health services, psychosocial support and educational programmes;

16. *Calls upon* States to realize the full and equal enjoyment of the right of women and girls with disabilities to the highest attainable standard of physical and mental health, including sexual and reproductive health, in particular by ensuring access to quality and affordable health facilities, goods and services and by repealing legislation and regulatory provisions that allow the performance of harmful practices such as forced sterilization, forced abortion and contraception, child, early and forced marriage and female genital mutilation, and to ensure that any medical procedure or intervention is not performed prior to the free and informed consent of women and girls with disabilities;

17. *Also calls upon* States to take measures to provide inclusive and accessible disability-, gender- and age-appropriate information, support and reasonable accommodation to girls and young women with disabilities so that they can access and enjoy services and facilities related to sexual and reproductive health and rights on an equal basis with others;

18. *Further calls upon* States to provide comprehensive sexuality education programmes, in and out of school, that are inclusive of girls and young women with disabilities and their specific needs in a manner consistent with their evolving capacities and in accessible and alternative communication formats, including sign language, Braille, accessible electronic formats, alternative script, easy-to-read formats, and augmentative and alternative modes, means and formats of communication in order to improve the sexual and reproductive knowledge of girls

and young women with disabilities, equip them with the skills to navigate healthy relationships, make decisions about their bodies, futures, sexual and reproductive lives, and to reduce sexual violence against them;

19. *Calls upon* States to collect and analyse data that is able to be disaggregated by income, gender, race, age, ethnicity, migratory status, disability, geographic location and other characteristics relevant to national contexts to assist with the identification and eradication of barriers that prevent women and girls with disabilities from enjoying all the rights enshrined in the Convention, to guide policy planning for the implementation of the Convention and eliminate all forms of discrimination, especially multiple and intersectional discrimination, and improve data collection systems to ensure adequate monitoring and provide an evaluation framework for the implementation of the Convention and the Sustainable Development Goals in relation to women and girls with disabilities;

20. *Urges* States and other relevant stakeholders to continue to support the inclusion of persons with disabilities, including women and girls with disabilities, in the implementation of the 2030 Agenda for Sustainable Development by, inter alia, supporting the disaggregation of data by disability, gender and age for specific indicators, on the basis of the Washington short set of questions and other data collection methodologies, where relevant, to assist States in measuring the achievement of the 17 Sustainable Development Goals and 169 associated targets and programming policies related to women and girls with disabilities in the context of the Goals;

21. *Encourages* States, United Nations entities and relevant international organizations, inter alia:

(a) To ensure that international cooperation is disability and gender sensitive and inclusive, including through the implementation of disability markers to monitor the implementation of programmes, and the collection of data and statistics on women and girls with disabilities in the implementation of the 2030 Agenda and the Sustainable Development Goals and their targets and indicators, as well as other international frameworks;

(b) To support and promote international cooperation and assistance and enhance partnerships and coordination among themselves and the active participation of civil society organizations, including women's organizations and organizations of women and girls with disabilities and other key stakeholders in strengthening means of implementation, including mobilization of financial resources and technical cooperation for the implementation of the Convention and the Sustainable Development Goals focusing on women and girls with disabilities;

22. *Requests* the Secretary-General to submit to the General Assembly at its seventy-fourth session a report on the rights of persons with disabilities with a focus on article 9 of the Convention, on accessibility, in consultation with relevant United Nations agencies, including, inter alia, the Office of the United Nations High Commissioner for Human Rights, taking into account the views of relevant stakeholders and using existing available materials, and to include a segment on the status of the Convention and the Optional Protocol thereto;

23. *Also requests* the Secretary-General to continue to ensure that the Office of the High Commissioner has adequate resources for the fulfilment of its tasks with respect to its work on the rights of persons with disabilities.

United Nations A/C.3/72/L.19

General Assembly

Distr.: Limited
20 October 2017

Original: English

Seventy-second session
Third Committee
Agenda item 68 (a)
Promotion and protection of the rights of children: promotion and protection of the rights of children

South Africa:* draft resolution

The girl child

The General Assembly,

Reaffirming its resolution 70/138 of 17 December 2015 and all relevant resolutions on the girl child, and recalling its resolution 66/170 of 19 December 2011 on the International Day of the Girl Child and the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Recalling all human rights and other instruments relevant to the rights of the child, in particular the girl child, including the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women,[2] the Convention on the Rights of Persons with Disabilities,[3] the Optional Protocols thereto[4] and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages,[5]

Reaffirming its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", the Addis Ababa Action Agenda of the Third International Conference on Financing for Development[6] and other internationally agreed development goals and commitments relevant to the girl child,

Welcoming the adoption of the Southern African Development Community Model Law on Eradicating Child Marriage and Protecting Children Already in

* On behalf of the States Members of the United Nations that are members of the Southern African Development Community.

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[2] Ibid., vol. 1249, No. 20378.

[3] Ibid., vol. 2515, No. 44910.

[4] Ibid., vols. 2171 and 2173, No. 27531, and resolution 66/138, annex; United Nations, *Treaty Series*, vol. 2131, No. 20378; and ibid., vol. 2518, No. 44910.

[5] Ibid., vol. 521, No. 7525.

[6] Resolution 69/313, annex.

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Marriage, and encouraging member States to harmonize national laws to prevent child marriage,

Reaffirming all relevant outcomes of major United Nations summits and conferences relevant to the girl child, including the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[7] the Beijing Declaration[8] and Platform for Action,[9] the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[10] the Programme of Action of the International Conference on Population and Development,[11] the Programme of Action of the World Summit for Social Development,[12] the Declaration of Commitment on HIV/AIDS adopted at the twenty-sixth special session of the General Assembly on HIV/AIDS, entitled "Global Crisis — Global Action",[13] and the political declarations on HIV and AIDS adopted by the high-level meetings of the General Assembly held in 2006,[14] 2011[15] and 2016,[16] and reiterating that their full and effective implementation is essential to achieving the internationally agreed development goals, including the Sustainable Development Goals,

Recognizing that chronic poverty remains one of the biggest obstacles to meeting the needs of and promoting and protecting the rights of children, including the girl child, and that girls living in poverty are more likely to be married as children or to work to ease family hardships, often ending education and suffering other harmful consequences, further limiting their opportunities and leaving them entrenched in poverty,

Recognizing also that urgent national and international action is required to eliminate poverty, including extreme poverty, and noting that the ongoing effects of the global financial and economic crisis, volatile energy and food prices and continuing food insecurity as a result of various factors are felt directly by households,

Recognizing further that social protection, education, adequate health care, nutrition, full access to clean water, including safe drinking water, sanitation and hygiene, skills development and combating discrimination and violence against girls, among other things, are all necessary for the empowerment of the girl child, and recalling the importance of mainstreaming a gender perspective across the United Nations system in relation to the girl child,

Deeply concerned that, while girls in child-headed households comprise a small percentage of girls overall, their extreme situation persists, and that situations of poverty, armed conflict, climate-related and other hazards, natural disasters, disease outbreaks, including the impact of the HIV and AIDS epidemic, and other humanitarian emergencies increase the incidence of child-headed households and make girls adopt adult responsibilities, including earning money and caring for and

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[7] Resolution S-27/2, annex.

[8] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[9] Ibid., annex II.

[10] Resolution S-23/2, annex, and resolution S-23/3, annex.

[11] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[12] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex II.

[13] Resolution S-26/2, annex.

[14] Resolution 60/262, annex.

[15] Resolution 65/277, annex.

[16] Resolution 70/266, annex.

protecting younger siblings, and particularly vulnerable to poverty, physical and sexual violence and abuse and discrimination, thus limiting their potential for full development,

Deeply concerned also about the lack of recent information and statistics on the status of child-headed households and the need for such information to inform appropriate policy response by Member States and the United Nations system,

Recognizing that women and girls are more vulnerable to HIV infection and that they bear a disproportionate burden of the impact of the HIV and AIDS epidemic, including the unpaid care and domestic work related to the care of and support for those living with and affected by HIV and AIDS, and that this negatively affects girls by depriving them of their childhood and diminishing their opportunities to receive an education, often resulting in their having to head households and increasing their vulnerability to the worst forms of child labour and to sexual exploitation,

Noting with concern that millions of girls are engaged in child labour and its worst forms, including those who have been victims of trafficking in persons and affected by armed conflict and humanitarian emergencies, that children without nationality or birth registration are vulnerable to trafficking in persons and child labour and that many children face the double burden of having to combine economic activities with domestic chores, which deprive them of their childhood and diminish their opportunities to benefit from education and decent employment in the future, and noting in this regard the need to recognize and value unpaid care and domestic work,

Recognizing that the empowerment of and investment in girls, which is critical for economic growth, and the achievement of all Sustainable Development Goals, including the eradication of poverty and extreme poverty, as well as the meaningful participation of girls in decisions that affect them, are key in breaking the cycle of discrimination and violence and in promoting and protecting the full and effective enjoyment of their human rights, and recognizing further that empowering girls requires their active participation in decision-making processes and as agents of change in their own lives and communities, including through girls' organizations with the active support and engagement of their parents, legal guardians, families and care providers, boys and men, as well as the wider community,

Deeply concerned about all forms of violence against children, in particular the phenomena that disproportionately affect girls, such as commercial sexual exploitation and child pornography, rape, sexual abuse, domestic violence, trafficking in persons and the use of information and communications technology and social media to perpetrate violence against women and girls, and, in addition, about the corresponding impunity and lack of accountability, and that violence against women and girls is underrecognized and underreported, particularly at the community level, which reflects discriminatory norms that reinforce the lower status of girls in society,

Deeply concerned also about discrimination against the girl child and the violation of the rights of the girl child, including girls with disabilities, which often result in less access for girls to education, and to quality education, nutrition, including food allocation, and physical and mental health-care services, in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys, and in leaving them more vulnerable than boys to the consequences of unprotected and premature sexual relations and often being subjected to various forms of cultural, social, sexual and economic exploitation and violence, abuse, rape, incest, honour-related crimes and harmful practices, such as

female infanticide, child, early and forced marriage, prenatal sex selection and female genital mutilation,

Deeply concerned further that despite its widespread practice, child, early and forced marriage is still underreported, recognizing that this requires further attention and that child, early and forced marriage exposes the girl child to greater risk of HIV and sexually transmitted infections, often leads to premature sexual relations, early pregnancy and early childbearing and increases the risk of obstetric fistula and high levels of maternal mortality and morbidity, and furthermore entails complications during pregnancy and childbirth, which often lead to disability, stillbirth and maternal death, particularly for young women and girls, which require appropriate prenatal and postnatal health-care services for mothers, including in the area of skilled birth attendance and emergency obstetric care, and noting with concern that this reduces girls' opportunities to complete their education, gain comprehensive knowledge, participate in the community or develop employable skills and is likely to have a long-term adverse impact on their employment opportunities, their quality of life and that of their children, and violates and impairs the full enjoyment of their human rights,

Deeply concerned that young women and girls are particularly affected by water scarcity, unsafe water, inadequate sanitation and poor hygiene practices, and expressing concern that girls, especially those in rural areas, are often excluded from full and continued participation in school owing to their burden of water procurement at home, lack of water and sanitation facilities in schools and inadequate access to effective feminine hygiene products,

Emphasizing that increased and equal access to quality education for young people, especially adolescent girls, including in the areas of sexual and reproductive health, as well as health care, hygiene and sanitation, dramatically lowers their vulnerability to preventable diseases and infections, in particular HIV and other sexually transmitted infections,

Recognizing that, despite gains in education, girls are still more likely than boys to remain excluded from education, and recognizing also that among gendered barriers to girls' equal enjoyment of their right to quality education are child marriage, early pregnancy, gender-based violence, domestic labour and restrictive gender norms that lead families and communities to place less value on girls' education when compared with that of boys,

Deeply concerned that school-related gender-based violence, such as sexual violence and harassment en route to and at school, including violence perpetrated by teachers, continues to deter girls' education and, in many cases, the transition to and completion of secondary school, and that these risks influence parents' decisions on allowing girls to attend school,

Noting that school meals and take-home rations attract and retain children in schools, and recognizing that school feeding is an incentive to enhance enrolment and reduce absenteeism, especially for girls,

Stressing the need for the international community, the relevant United Nations entities, the specialized agencies, civil society and international financial institutions to continue to actively support, through the allocation of enhanced financial resources and technical assistance, targeted comprehensive programmes that address the needs and priorities of child-headed households and the water, sanitation and hygiene needs of the girl child,

1. *Takes note* of the report of the Secretary-General;[17]

2. *Stresses* the need for the full and urgent implementation of the rights of the girl child as provided to her under human rights instruments, and urges States to consider signing and ratifying or acceding to the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women,[2] the Convention on the Rights of Persons with Disabilities[3] and the Optional Protocols thereto[4] as a matter of priority;

3. *Urges* all States that have not yet ratified or acceded to the Minimum Age Convention, 1973 (No. 138),[18] and the Worst Forms of Child Labour Convention, 1999 (No. 182),[19] of the International Labour Organization to consider doing so;

4. *Urges* States to improve the situation of girl children living in poverty, including extreme poverty, deprived of adequate food and nutrition, water and sanitation facilities, with limited or no access to basic physical and mental health-care services, shelter, education, participation and protection;

5. *Recognizes* that achieving inclusive and equitable quality education requires major transformations in educational systems, applying a gender equality lens to curricula, pedagogy, administration, leadership, infrastructure development, teacher training, policy and data management, and in this regard calls upon States to invest in quality education and curricula complemented by adequate financing and support, which are needed to ensure that girls, including marginalized girls, enjoy their right to quality education;

6. *Notes* the role of the United Nations in coordinating the implementation of Sustainable Development Goal 4 through its support for national Governments in realizing girls' right to education;

7. *Calls upon* States to recognize the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, including those living in rural areas, and ensuring that all children have equal access to quality education, as well as making secondary and tertiary education available and accessible to all, in particular through the progressive introduction of free secondary education, bearing in mind that special measures to ensure equal access, including affirmative action, ensuring physical access to education, including by increasing financial incentives to families, improving the safety of girls on the way to and from school, ensuring that all schools are accessible, safe, secure and free from violence and providing hygienic, separate and adequate sanitation facilities, contribute to achieving equal opportunity and combating exclusion and ensuring school attendance, in particular for girls and children from low-income families and children who become heads of households;

8. *Calls upon* all States to place enhanced emphasis on quality education for the girl child, including catch-up and literacy education for those who did not receive formal education, special initiatives for keeping girls in school through post-primary education, including those who are already married or pregnant, to promote access to skills and entrepreneurship training for young women and to tackle male and female stereotypes, in order to ensure that young women entering the labour market have opportunities to obtain full and productive employment, equitable compensation and decent work;

[17] A/72/218.

[18] United Nations, *Treaty Series*, vol. 1015, No. 14862.

[19] Ibid., vol. 2133, No. 37245.

9. *Urges* Governments to adopt and implement policies and programmes to promote girls' education in science, technology, engineering and mathematics, including information communications technology, throughout their school careers, including by expanding the scope of education and training opportunities ranging from basic digital fluency to advanced technical skills, recognizing that girls who develop such skills enjoy more academic success and higher-paying jobs;

10. *Calls upon* States, with the support, where appropriate, of international organizations, civil society and non-governmental organizations, to develop policies and programmes, giving priority to formal, informal and non-formal education programmes, including age-appropriate sex education with appropriate direction and guidance from parents and legal guardians, that support girls and adolescent girls and enable them to acquire relevant and adequate knowledge and information in a manner consistent with their evolving capacities, develop self-esteem and take responsibility for their own lives, and to place special focus on programmes to educate women and men, especially parents, about the importance of girls' physical and mental health and well-being and the need to develop and maintain respectful relationships between girls and boys;

11. *Urges* States to acknowledge the different needs of girls and boys during their childhood and adolescence and, as appropriate, to make adapted investments that are consistent with and responsive to their changing needs, in particular ensuring that girls have access to clean water, including safe drinking water, sanitation, hygiene and feminine hygiene products as well as private toilet facilities, including feminine hygiene product disposal facilities, in educational institutions and other public spaces, which will improve their health and access to education and increase their safety;

12. *Recognizes* that contexts need to be created in which menstruation is viewed as healthy and normal, and not stigmatized, aware that girls' attendance at school can also be negatively affected by negative perceptions of menstruation and distances to schools and lack of gender-responsive water, sanitation and hygiene facilities in schools, leaving girls without the means to maintain safe and private personal hygiene practices, including menstrual hygiene management;

13. *Urges* States to strengthen efforts to urgently eradicate all forms of discrimination against women and girls, and calls upon all States, the United Nations system and civil society to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action,[19] as contained in paragraph 33 of the further actions and initiatives,[20] including reviewing remaining laws that discriminate against women and girls in order to modify or abolish them and, where appropriate, strengthening national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, including fighting impunity for perpetrators of and ensuring the availability of appropriate penalties for crimes of sexual violence committed against the girl child, and to mobilize all necessary resources and support in order to achieve those goals;

14. *Also urges* States to ensure that the applicable requirements of the International Labour Organization for the employment of girls and boys are respected and effectively enforced and that girls who are employed have equal access to decent work and equal payment and remuneration for equal work or work of equal value, are protected from economic and sexual exploitation, discrimination, sexual harassment, violence and abuse in the workplace, are aware of their rights

[19] Resolution S-23/3, annex.

and have access to formal and non-formal education, skills development and vocational training, and urges States to develop gender-sensitive measures, including national action plans, where appropriate, to eliminate child labour and its worst forms, commercial sexual exploitation, hazardous forms of child labour, trafficking and slavery-like practices, including forced and bonded labour, and recruitment or use of children in armed conflict in violation of applicable international law, and to recognize that girls, including in child-headed households, face greater risks in this regard;

15. *Calls upon* States, with the support of relevant stakeholders, including the private sector, civil society, non-governmental organizations and community-based organizations, as appropriate, to take all measures necessary to ensure the right of girls to the enjoyment of the highest attainable standard of health, including sexual and reproductive health, and to develop sustainable health systems, strengthen existing ones to ensure primary health care with an integrated HIV response and make them more accessible to adolescent girls;

16. *Urges* all States to develop or review relevant programmes that promote gender equality and equal access to basic social services, such as education, nutrition, water and sanitation, birth registration, health care, vaccinations and protection from diseases representing the major causes of mortality, including non-communicable diseases, and to mainstream a gender perspective into all development policies and programmes, including those specific to the girl child;

17. *Calls upon* States to strengthen the capacity of national health systems, and in this regard invites the international community to assist national efforts, upon request, including by allocating adequate resources in order to provide the essential services needed to prevent obstetric fistula and to treat those cases that occur by providing the continuum of services, including family planning, prenatal and postnatal care, skilled birth attendance, emergency obstetric care and post-partum care, to adolescent girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

18. *Urges* all States to enact, uphold and strictly enforce laws and policies aimed at preventing and ending child, early and forced marriage and protecting those at risk and to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage, to raise the minimum age for marriage, engage all relevant stakeholders, including girls, where necessary, and ensure that these laws are well known, to further develop and implement holistic, comprehensive and coordinated policies, plans of action and programmes and to support already married girls and adolescents and ensure the provision of viable alternatives and institutional support, especially educational opportunities for girls, to ensure the survival, protection, development and advancement of the girl child in order to promote and protect the full enjoyment of her human rights and to ensure equal opportunities for girls, including by making such plans an integral part of her total development process;

19. *Urges* States to ensure that efforts to enact and implement legislation to protect, support and empower child-headed households, in particular those headed by girls, include provisions to ensure their physical, psychosocial and economic well-being, including protecting their property and inheritance rights, access to health-care services, nutrition, clean water, including safe drinking water, sanitation and hygiene, shelter, education and scholarships, business and training opportunities, and inheritance, and that the family is protected and assisted in staying together, including through economic strengthening, such as cash transfers;

20. *Also urges* States to forge partnerships with relevant stakeholders, particularly by working with and involving communities in developing programmes and mechanisms designed to ensure the safety and protection as well as the empowerment of children, especially girls, and to ensure that they receive the support that they need from their communities;

21. *Calls upon* States to strengthen research, data collection and analysis on the girl child, disaggregated by household structure, sex, age, disability status, economic situation, marital status and geographical location, and improve gender statistics on time use, unpaid care work and water and sanitation in order to provide a better understanding of the situations of girls, especially of the multiple forms of discrimination that they face, and to inform the development of necessary policies and programme responses, which should take a holistic age-appropriate approach to addressing the full range of the forms of discrimination that girls may face, in order to protect their rights effectively;

22. *Urges* States to take all measures necessary to ensure the full enjoyment by girls with disabilities of all human rights and fundamental freedoms, on an equal basis with other children, and to adopt, implement and strengthen appropriate policies and programmes designed to address their needs;

23. *Urges* all States to enact and enforce legislation to protect girls from all forms of violence, discrimination, exploitation and harmful practices in all settings, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced migration, forced labour and child, early and forced marriage, and to develop age-appropriate, safe, confidential and disability-accessible programmes and medical, social and psychological support services to assist girls who are subjected to violence and discrimination;

24. *Urges* States to strengthen and intensify their efforts to prevent and eliminate all forms of school-related violence against girls and to hold those responsible for those acts accountable;

25. *Calls upon* all States to enact and enforce the necessary legislative or other measures, in cooperation with relevant stakeholders, including the private sector and the media, to prevent the distribution over the Internet of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable the reporting and removal of such material and that its creators, distributors and collectors are prosecuted, as appropriate;

26. *Urges* States to formulate or review as needed comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of discrimination and violence against women and girls, which should have dedicated resources, be widely disseminated and provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring and evaluation mechanisms involving all parties concerned;

27. *Also urges* States to ensure that children who are capable of forming their own views have the right to express those views freely in all matters affecting them, with the views of the child being given due weight in accordance with the age and maturity of the child, to ensure that this right is fully and equally enjoyed by the girl child, to meaningfully involve girl children, including those with special needs, as well as girls with disabilities, and their representative organizations in decision-making processes, as appropriate, and to include them as full partners in identifying their own needs and in developing, planning, implementing and assessing policies

and programmes to meet those needs, with a view to ensuring their full and effective participation;

28. *Recognizes* that a considerable number of girl children are particularly vulnerable, including orphans, children living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation, children living with or affected by HIV and AIDS, and children who are incarcerated or who live without parental support, and therefore urges States, with the support of the international community, where relevant, to take appropriate measures to address the needs of such children by implementing national, subregional and regional policies and strategies to build and strengthen governmental, community and family capacities to provide a supportive environment for such children, including by providing appropriate counselling and psychosocial support, and ensuring their safety, enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children;

29. *Deplores* all acts of sexual exploitation, abuse of and trafficking in women and children, including in humanitarian crises and by humanitarian workers and peacekeepers, including military, police and civilian personnel involved in United Nations operations, welcomes the efforts undertaken by United Nations agencies and peacekeeping operations to implement a zero-tolerance policy in this regard, and requests the Secretary-General or the Member States from which those humanitarian workers originate and personnel-contributing countries to continue to take all appropriate action necessary to combat these abuses by such personnel, including through the full implementation without delay of those measures adopted in the relevant General Assembly resolutions based on recommendations of the Special Committee on Peacekeeping Operations;[21]

30. *Calls upon* Member States to devise, enforce and strengthen effective child- and youth-sensitive measures to combat, eliminate and prosecute all forms of trafficking in women and girls, including for sexual and economic exploitation, as part of a comprehensive anti-trafficking strategy within wider efforts to eliminate all forms of violence against women and girls, including by taking effective measures against the criminalization of girls who are victims of exploitation and ensuring that girls who have been exploited receive access to the necessary psychosocial support, and in this regard urges Member States, the United Nations and other international, regional and subregional organizations, as well as civil society, including non-governmental organizations, the private sector and the media, to fully and effectively implement the relevant provisions of the United Nations Global Plan of Action to Combat Trafficking in Persons[22] and the activities outlined therein, with full respect for the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;[23]

31. *Reaffirms* that everyone has a right to a nationality as enshrined in the Universal Declaration of Human Rights,[24] and in this regard calls upon States that have not yet done so to consider adopting and implementing nationality legislation consistent with their applicable obligations under international law and to facilitate the acquisition of nationality by and ensure free or low-cost birth registration for

[21] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1).

[22] Resolution 64/293.

[23] United Nations, *Treaty Series*, vol. 2237, No. 39574.

[24] Resolution 217 A (III).

children born on their territories or their nationals abroad who would otherwise be stateless;

32. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and full respect for and the enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate and gender-sensitive information material on those rights to all sectors of society, in particular to children;

33. *Requests* the Secretary-General, as Chair of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the World Health Organization, the Joint United Nations Programme on HIV/AIDS, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in country programmes of cooperation in accordance with national priorities, including through the United Nations Development Assistance Framework;

34. *Requests* all human rights treaty bodies and the human rights mechanisms of the Human Rights Council, including the special procedures, to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

35. *Requests* States to ensure that, in all policies and programmes designed to provide comprehensive HIV and AIDS prevention, treatment, care and support, particular attention and support are given to the girl child at risk, living with or affected by HIV, including pregnant girls and young and adolescent mothers and girls with disabilities, and child heads of households, with a view to achieving Sustainable Development Goal 3, in particular the target of ending the AIDS epidemic by 2030;

36. *Invites* States to promote initiatives aimed at reducing the prices of antiretroviral drugs, especially second-line drugs, available to the girl child, including bilateral and private sector initiatives as well as initiatives on a voluntary basis taken by groups of States, including those based on innovative financing mechanisms that contribute to the mobilization of resources for social development, including those that aim to provide further access to drugs at affordable prices to developing countries on a sustainable and predictable basis, and in this regard takes note of the International Drug Purchase Facility, UNITAID;

37. *Calls upon* all States to integrate food and nutritional support with the goal that children, especially girl children, have access at all times to sufficient, safe and nutritious food to meet their dietary needs and food requirements for an active and healthy life;

38. *Calls upon* States to ensure that social protection programmes, including HIV-sensitive programmes, are provided to orphans and other vulnerable children, with particular attention to addressing the needs and vulnerabilities of girl children, ensuring school attendance and protecting their rights;

39. *Urges* States and the international community to increase resources at all levels, particularly in the education and health sectors, so as to enable young people,

especially girls, to gain the knowledge, attitudes and life skills that they need to fulfil their social, economic and other potential and overcome their challenges, including the prevention of HIV infection and early pregnancy, and to enjoy the highest attainable standard of physical and mental health, including sexual and reproductive health;

40. *Urges* States, the international community, relevant United Nations entities, civil society and international financial institutions to continue to actively support, through the allocation of financial resources and technical assistance, efforts to address girls' right and access to education;

41. *Strongly calls upon* States and the international community to create an environment in which the well-being of the girl child is ensured, inter alia, by cooperating, supporting and participating in global efforts towards the full and timely realization of the 2030 Agenda for Sustainable Development[25] and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development[6] and of all other relevant internationally agreed development goals, in particular for the eradication of poverty at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all levels in this regard, and reaffirming that investment in children, particularly girls, and the realization of their rights are among the most effective ways to eradicate poverty;

42. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-fourth session on the implementation of the present resolution, including a status analysis on improvements in the social, economic and political investments made by Member States towards empowering girls in rural areas, using information provided by Member States, the organizations and bodies of the United Nations system and non-governmental organizations, with a view to assessing the impact of the present resolution on the well-being of the girl child.

[25] Resolution 70/1.

United Nations A/C.3/72/L.20

General Assembly

Distr.: Limited
20 October 2017

Original: English

Seventy-second session
Third Committee
Agenda item 72 (a)
Promotion and protection of human rights: implementation of human rights instruments

Denmark, Finland, Georgia, Iceland, Liechtenstein, Norway, Sweden and Switzerland: draft resolution

Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Reaffirming its previous resolutions on torture and other cruel, inhuman or degrading treatment or punishment,

Reaffirming also that no one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right under international law, including international human rights law and international humanitarian law, that must be respected and protected under all circumstances, including in times of international or internal armed conflict or disturbance or any other public emergency, that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in relevant international instruments and that legal and procedural safeguards against such acts must not be subject to measures that would circumvent this right,

Recalling also that the prohibition of torture is a peremptory norm of international law without territorial limitation and that international, regional and domestic courts have recognized the prohibition of cruel, inhuman or degrading treatment or punishment as customary international law,

Recalling further the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[1] and the obligation of States to abide strictly by the definition of torture contained in article 1, without prejudice to any international instrument or national legislation which contains or may contain provisions of wider application, and emphasizing the importance of properly interpreting and implementing the

[1] United Nations, *Treaty Series*, vol. 1465, No. 24841.

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obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment,

Recognizing that States must protect the rights of those facing criminal sentences, including the death penalty and life imprisonment without the possibility of parole, and of other affected persons in accordance with their international obligations,

Noting that, under the Geneva Conventions of 1949,[2] torture and inhuman treatment are a grave breach and that, under the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the Rome Statute of the International Criminal Court,[3] acts of torture can constitute crimes against humanity and, when committed in a situation of armed conflict, constitute war crimes,

Recognizing the importance of the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance,[4] which makes a significant contribution to the prevention and prohibition of torture, including by prohibiting secret places of detention and by ensuring legal and procedural safeguards for persons deprived of their liberty, and encouraging all States that have not done so to consider signing, ratifying or acceding to the Convention,

Welcoming the launch of the global alliance to end trade in goods used for capital punishment and torture, and encouraging States to join the alliance,

Commending the persistent efforts of civil society organizations, including non-governmental organizations, national human rights institutions and national preventive mechanisms, and the considerable network of centres for the rehabilitation of victims of torture, to prevent and combat torture and to alleviate the suffering of victims of torture,

Deeply concerned about all acts which can amount to torture and other cruel, inhuman or degrading treatment or punishment committed against persons exercising their rights of peaceful assembly and freedom of expression in all regions of the world,

1. *Condemns* all forms of torture and other cruel, inhuman or degrading treatment or punishment, including through intimidation, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all States to implement fully the absolute and non-derogable prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

2. *Also condemns* any action or attempt by States or public officials to legalize, authorize or acquiesce in torture and other cruel, inhuman or degrading treatment or punishment under any circumstances, including on grounds of national security and counter-terrorism or through judicial decisions, and urges States to ensure the accountability of those responsible for all such acts;

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[2] Ibid., vol. 75, Nos. 970-973.

[3] Ibid., vol. 2187, No. 38544.

[4] Ibid., vol. 2716, No. 48088.

3. *Stresses* that States must neither punish personnel for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment nor allow pleas of *respondeat superior* as a criminal defence in cases in which such orders were obeyed;

4. *Emphasizes* that acts of torture or inhuman treatment are grave breaches of the Geneva Conventions of 1949,[2] that acts of torture and cruel treatment in armed conflict are serious violations of international humanitarian law and in this regard constitute war crimes, that acts of torture can constitute crimes against humanity and that the perpetrators of all acts of torture must be prosecuted and punished, and in this regard notes the efforts of the International Criminal Court to end impunity by seeking to ensure accountability and punishment of perpetrators of such acts, in accordance with the Rome Statute,[3] bearing in mind its principle of complementarity, and encourages States that have not yet done so to consider ratifying or acceding to the Rome Statute;

5. *Also emphasizes* that States must take persistent, determined and effective measures to prevent and combat all acts of torture and other cruel, inhuman or degrading treatment or punishment, stresses that all acts of torture must be made offences under national criminal law punishable by appropriate penalties that take into account their grave nature, and calls upon States to prohibit under national law acts constituting cruel, inhuman or degrading treatment or punishment;

6. *Stresses* that States must ensure that no statement that is established to have been made as a result of torture is invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made, urges States to extend that prohibition to statements made as a result of cruel, inhuman or degrading treatment or punishment, and recognizes that adequate corroboration of statements, including confessions, used as evidence in any proceedings constitutes one safeguard for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

7. *Urges* States not to expel, return ("refouler"), extradite or in any other way transfer a person to another State where there are substantial grounds for believing that the person would be in danger of being subjected to torture, stresses the importance of effective legal and procedural safeguards in this regard, and recognizes that diplomatic assurances, where given, do not release States from their obligations under international human rights, humanitarian and refugee law, in particular the principle of non-refoulement;

8. *Recalls* that, for the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations, including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights;

9. *Urges* States to ensure that border control operations and reception centres fully comply with international human rights obligations and commitments, including the prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

10. *Calls upon* all States to adopt and implement effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, in particular in places of detention and other places where persons are deprived of their liberty, including legal and procedural safeguards, and to ensure that the competent judicial or disciplinary authorities and, where relevant, the prosecution, can effectively ensure compliance with such safeguards;

11. *Recalls* its resolution 43/173 of 9 December 1988 on the Body of Principles for the Protection of All Persons under Any Form of Detention or

Imprisonment, and in this context stresses that ensuring that any individual arrested or detained is promptly brought before a judge or other independent judicial officer in person, and permitting prompt and regular medical care and legal counsel throughout all stages of detention, as well as visits by family members and independent monitoring mechanisms, are effective measures for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

12. *Stresses* the obligation of States to ensure that anyone who is arrested is informed at the time of arrest of the reasons for the arrest and is promptly informed of any charges against him or her, in accessible forms of communication, including in a language that he or she understands, and is provided with information about, and an explanation, of his or her rights;

13. *Calls upon* States to include education and information regarding the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment in the training of law enforcement personnel and other personnel authorized to resort to force or who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment, which may include training on the use of force, all available modern scientific methods for the investigation of crimes and the critical importance of reporting instances of torture or other cruel, inhuman or degrading treatment or punishment to superior authorities;

14. *Emphasizes* that States shall keep under systematic review interrogation rules, instructions, methods and practices, as well as arrangements for the custody and treatment of persons subjected to any form of arrest, detention or imprisonment in any territory under their jurisdiction, and stresses the importance of the development of domestic guidelines on the conduct of interrogations, with a view to preventing any cases of torture and other cruel, inhuman or degrading treatment or punishment;

15. *Encourages* all States to take appropriate effective legislative, administrative, judicial and other measures to apply the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[5] which are the universally acknowledged minimum standards for the detention of prisoners and which have been of significant value and influence, as a guide, in the development of correctional law, policies and practices;

16. *Reminds* all States that prolonged incommunicado detention or detention in secret places can facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and dignity of the person and to ensure that prolonged incommunicado detention and secret places of detention and interrogation are abolished;

17. *Emphasizes* that conditions of detention must respect the dignity and human rights of persons deprived of their liberty, highlights the importance of reflecting on this in efforts to promote respect for and protection of the rights of persons deprived of their liberty, calls upon States to address and prevent detention conditions amounting to torture or other cruel, inhuman or degrading treatment or punishment, notes in this regard concerns about solitary confinement, and encourages States to take effective measures to address overcrowding in detention facilities, which may have an impact on the dignity and human rights of persons deprived of their liberty;

[5] Resolution 70/175, annex.

18. *Welcomes* the establishment of national preventive mechanisms to prevent torture and other cruel, inhuman or degrading treatment or punishment, urges States to consider establishing, appointing, maintaining or enhancing independent and effective mechanisms that have experts with the required capabilities and professional knowledge to undertake monitoring visits to places of detention, inter alia, with a view to preventing acts of torture or other cruel, inhuman or degrading treatment or punishment, and calls upon States parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[6] to fulfil their obligation to designate or establish national preventive mechanisms that are truly independent, properly resourced and effective;

19. *Calls upon* all States to take appropriate effective legislative, administrative, judicial and other measures to prevent and prohibit the production, trade, export, import and use of equipment that has no practical use other than for the purpose of torture or other cruel, inhuman or degrading treatment or punishment;

20. *Urges States*, as an important element in preventing and combating torture and other cruel, inhuman or degrading treatment or punishment, to ensure that no authority or official orders, applies, permits or tolerates any sanction, reprisal, intimidation or other prejudice against any person, group or association, including persons deprived of their liberty, for contacting, seeking to contact or having been in contact with any national or international monitoring or preventive body active in the prevention and combating of torture and other cruel, inhuman or degrading treatment or punishment;

21. *Also urges* States to ensure accountability for any act of sanction, reprisal, intimidation or other form of unlawful prejudicial conduct against any person, group or association, including persons deprived of their liberty, for cooperating, seeking to cooperate or having cooperated with any national or international monitoring or preventive body active in the prevention and combating of torture and other cruel, inhuman or degrading treatment or punishment, by ensuring impartial, prompt, independent and thorough investigations of any alleged act of sanction, reprisal, intimidation or other form of unlawful prejudicial conduct; to bring the perpetrators to justice; to provide access to effective remedies for victims, in accordance with their international human rights obligations and commitments; and to prevent any recurrence;

22. *Calls upon* States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[6] to fulfil their obligation to submit for prosecution or extradite those alleged to have committed acts of torture, regardless of where such acts were committed, if the alleged offender is present in any territory under their jurisdiction, and encourages other States also to do so, bearing in mind the need to fight impunity;

23. *Encourages* States to consider establishing or maintaining appropriate national processes to record allegations of torture and other cruel, inhuman or degrading treatment or punishment and to ensure that such information is accessible in accordance with applicable law;

24. *Stresses* that an independent, competent domestic authority must promptly, effectively and impartially investigate all allegations of torture or other cruel, inhuman or degrading treatment or punishment, as well as wherever there is reasonable ground to believe that such an act has been committed, and that those who encourage, instigate, order, tolerate, acquiesce in, consent to or perpetrate such

[6] United Nations, *Treaty Series*, vol. 2375, No. 24841.

acts must be held responsible, brought to justice and punished in a manner commensurate with the severity of the offence, including the officials in charge of any place of detention or other place where persons are deprived of their liberty where the prohibited act is found to have been committed;

25. *Recalls*, in this respect, the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Principles)[7] as a valuable tool in efforts to prevent and combat torture and the updated set of principles for the protection and promotion of human rights through action to combat impunity;[8]

26. *Emphasizes* that it is important, for law enforcement officials to be able to play their role in safeguarding the right not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment, that States ensure the proper functioning of the criminal justice system, in particular by taking effective measures for combating corruption, establishing proper legal aid programmes and providing for adequate selection, training and remuneration of law enforcement officials;

27. *Encourages* all States to ensure that persons charged with torture or other cruel, inhuman or degrading treatment or punishment have no involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty while such charges are pending and, if such persons are convicted, after the conviction;

28. *Calls upon* all States to adopt a victim-oriented approach[9] in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to the views and needs of victims in policy development and other activities relating to rehabilitation, prevention and accountability for torture;

29. *Also calls upon* all States to adopt a gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to gender-based violence;

30. *Calls upon* States to ensure that the rights of persons who are marginalized and most vulnerable, including persons with disabilities, bearing in mind the Convention on the Rights of Persons with Disabilities,[10] are fully integrated into torture prevention and protection, and welcomes the efforts of the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment in this regard;

31. *Stresses* that national legal systems must ensure that victims of torture or other cruel, inhuman or degrading treatment or punishment have effective access to justice and obtain redress and that the complainants and witnesses are protected against all ill-treatment or intimidation as a consequence of making a complaint or giving evidence;

32. *Calls upon* States to provide redress for victims of torture or other cruel, inhuman or degrading treatment or punishment, encompassing effective remedy and adequate, effective and prompt reparation, which should include restitution, fair and adequate compensation, rehabilitation, satisfaction and guarantees of non-repetition, taking into full account the specific needs of the victim;

33. *Urges* States to ensure that appropriate rehabilitation services are promptly available to all victims without discrimination of any kind and without

[7] Resolution 55/89, annex.
[8] E/CN.4/2005/102/Add.1.
[9] See A/HRC/16/52.
[10] United Nations, *Treaty Series*, vol. 2515, No. 44910.

limitation in time, until the fullest rehabilitation possible has been achieved, and are provided either directly by the public health system or through the funding of private rehabilitation facilities, including those administered by civil society organizations, and to consider making rehabilitation services available to the immediate families or dependants of the victims and to persons who have suffered harm while intervening to assist victims in distress or to prevent victimization;

34. *Also urges* States to establish, maintain, facilitate or support rehabilitation centres or facilities where victims can receive such treatment and where effective measures for ensuring the safety of their staff and patients are taken;

35. *Urges* all States that have not yet done so to become parties to the Convention against Torture and to give early consideration to signing and ratifying the Optional Protocol thereto as a matter of priority;

36. *Urges* all States parties to the Convention that have not yet done so to make the declarations provided for in articles 21 and 22 of the Convention concerning inter-State and individual communications, to consider the possibility of withdrawing their reservations to article 20, to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18, with a view to enhancing the effectiveness of the Committee against Torture as soon as possible, and to comply strictly with their obligations under the Convention, including, in view of the high number of reports not submitted in time, their obligation to submit reports in accordance with article 19 of the Convention, and invites States parties to incorporate a gender perspective and information concerning persons who are marginalized and most vulnerable, including children and juveniles and persons with disabilities, when submitting reports to the Committee;

37. *Welcomes* the work and the reports of the Committee and of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, recommends that their reports continue to include information on the follow-up by States parties to their recommendations, supports the Committee and the Subcommittee in their efforts to further improve the effectiveness of their working methods, and invites the Chairs of the Committee and the Subcommittee to present oral reports on the work of the committees and to engage in an interactive dialogue with the General Assembly at its seventy-third and seventy-fourth sessions under the sub-item entitled "Implementation of human rights instruments" of the item entitled "Promotion and protection of human rights";

38. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with his mandate established by the General Assembly in its resolution 48/141 of 20 December 1993, to continue to provide, at the request of States, advisory services for the prevention of torture and other cruel, inhuman or degrading treatment or punishment, including for the preparation of national reports to the Committee and for the establishment and operation of national preventive mechanisms, as well as technical assistance for the development, production and distribution of teaching materials for this purpose, and to provide the support necessary to enable the Subcommittee to provide advice and assistance to States parties to the Optional Protocol;

39. *Emphasizes* the importance of States ensuring proper follow-up to the recommendations and conclusions of the relevant treaty bodies and mechanisms, including the Committee, the Subcommittee, national preventive mechanisms and the Special Rapporteur, while recognizing the important role of the universal periodic review, national human rights institutions and other relevant national or regional bodies in preventing torture and other cruel, inhuman or degrading treatment or punishment;

40. *Takes note with appreciation* of the interim report of the Special Rapporteur on the legal, ethical, scientific and practical arguments against the use of torture, other ill-treatment and coercive methods during interviews of suspects, victims, witnesses and other persons in various investigative contexts and the development of a universal protocol identifying a set of standards for non-coercive interviewing methods and procedural safeguards[11] and his report on the extra-custodial use of force and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment,[12] encourages the Special Rapporteur to continue to include in his recommendations proposals on the prevention and investigation of torture and other cruel, inhuman or degrading treatment or punishment, including its gender-based manifestations, and requests him to continue to consider including in his reports information on the follow-up by States to his recommendations, visits and communications, including progress made and problems encountered, and on other official contacts, and encourages future collaboration between practitioners, experts and other relevant stakeholders towards these goals;

41. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of his tasks, to supply all necessary information requested by him, to fully and expeditiously respond to and follow up on his urgent appeals, to give serious consideration to responding favourably to requests by him to visit their countries and to enter into a constructive dialogue with him on requested visits to their countries as well as with respect to the follow-up to his recommendations;

42. *Stresses* the need for the continued regular exchange of views among the Committee, the Subcommittee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuit of cooperation with relevant United Nations programmes, notably the United Nations crime prevention and criminal justice programme, with regional organizations and mechanisms, as appropriate, and with civil society organizations, including non-governmental organizations, with a view to enhancing further their effectiveness and cooperation on issues relating to the prevention and eradication of torture by, inter alia, improving coordination;

43. *Requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in preventing and combating torture and assisting victims of torture or other cruel, inhuman or degrading treatment or punishment, including, in particular, the Committee, the Subcommittee and the Special Rapporteur, commensurate with the strong support expressed by Member States for preventing and combating torture and assisting victims of torture, in order to enable them to discharge their mandates in a comprehensive, sustained and effective manner, and taking fully into account the specific nature of their mandates;

44. *Recognizes* the global need for international assistance to victims of torture, stresses the importance of the work of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, appeals to all States and organizations to contribute annually to the Fund, preferably with a substantial increase in the level of contributions, and welcomes the establishment of and encourages contributions to the Special Fund established by the Optional Protocol to support the implementation of the recommendations made by the Subcommittee and of educational programmes by the national preventive mechanisms;

[11] A/71/298.
[12] A/72/178.

45. *Requests* the Secretary-General to continue to transmit to all States the appeals of the General Assembly for contributions to the Funds, to include the Funds, on an annual basis, among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities, and to submit to the Human Rights Council, and to the General Assembly at its seventy-third and seventy-fourth sessions, a report on the operations of the Funds;

46. *Welcomes and acknowledges* the work of the Convention against Torture Initiative, launched in March 2014 on the thirtieth anniversary of the adoption of the Convention to achieve the universal ratification and improved implementation of the Convention by 2024, as well as related regional initiatives on the prevention and eradication of torture;

47. *Calls upon* all States, the Office of the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as well as relevant intergovernmental and civil society organizations, including non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture;

48. *Decides* to consider at its seventy-third and seventy-fourth sessions the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture and the Special Fund established by the Optional Protocol, the report of the Committee, the report of the Subcommittee and the interim report of the Special Rapporteur;

49. *Also decides* to give its full consideration to the subject matter at its seventy-fourth session.

United Nations A/C.3/72/L.21

General Assembly

Distr.: Limited
20 October 2017

Original: English

Seventy-second session
Third Committee
Agenda item 68 (a)
Promotion and protection of the rights of children: promotion and protection of the rights of children

Argentina, Austria, Belgium, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Netherlands, Panama, Paraguay, Peru, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of): draft resolution

Rights of the child

The General Assembly,

Reaffirming the importance of its resolution 44/25 of 20 November 1989, by which it adopted the Convention on the Rights of the Child,[1] which constitutes the standard in the promotion and protection of the rights of the child, reaffirming also that States parties to the Convention shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized therein, while bearing in mind the importance of the Optional Protocols to the Convention[2] and calling for their universal ratification and effective implementation, as well as that of other human rights instruments,

Reaffirming also all of its previous resolutions on the rights of the child, the most recent of which was resolution 71/177 of 19 December 2016, and all other relevant resolutions, including 71/167 of 19 December 2016 on trafficking in women and girls, 71/168 of 19 December 2016 on intensifying global efforts for the elimination of female genital mutilation, 71/170 of 19 December 2016 entitled "Intensification of efforts to prevent and eliminate all forms of violence against women and girls: domestic violence", 71/175 of 19 December 2016 on child, early and forced marriage, and 71/176 of 19 December 2016 on protecting children from bullying,

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

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Reaffirming further the Universal Declaration of Human Rights,[3] which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind,

Recalling the International Covenant on Civil and Political Rights,[4] the International Covenant on Economic, Social and Cultural Rights,[4] the Convention on the Rights of Persons with Disabilities,[5] the International Convention for the Protection of All Persons from Enforced Disappearance,[6] the 1951 Convention relating to the Status of Refugees[7] and the 1967 Protocol thereto,[8] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[9] the United Nations Convention against Transnational Organized Crime[10] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[11] the Convention on the Elimination of All Forms of Discrimination against Women,[12] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[13] and both the Minimum Age Convention, 1973 (No. 138),[14] and the Worst Forms of Child Labour Convention, 1999 (No. 182),[15] of the International Labour Organization,

Reaffirming that the general principles of the Convention on the Rights of the Child, including the best interests of the child, non-discrimination, participation and survival and development, provide the framework for actions concerning children,

Reaffirming also the Vienna Declaration and Programme of Action,[16] the United Nations Millennium Declaration[17] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[18] recalling the Beijing Declaration and Platform for Action,[19] the Programme of Action of the International Conference on Population and Development[20] and the outcome documents of their review conferences, the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development,[21] the Declaration on Social Progress and Development,[22] the Universal Declaration on the Eradication of Hunger and

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[3] Resolution 217 A (III).
[4] See resolution 2200 A (XXI), annex.
[5] United Nations, *Treaty Series*, vol. 2515, No. 44910.
[6] Ibid., vol. 2716, No. 48088.
[7] Ibid., vol. 189, No. 2545.
[8] Ibid., vol. 606, No. 8791.
[9] Ibid., vol. 2220, No. 39481.
[10] Ibid., vol. 2225, No. 39574.
[11] Ibid., vol. 2237, No. 39574.
[12] Ibid., vol. 1249, No. 20378.
[13] Ibid., vol. 1465, No. 24841.
[14] Ibid., vol. 1015, No. 14862.
[15] Ibid., vol. 2133, No. 37245.
[16] A/CONF.157/24 (Part I), chap. III.
[17] Resolution 55/2.
[18] Resolution S-27/2, annex.
[19] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.
[20] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No.E.95.XIII.18), chap. I, resolution 1, annex.
[21] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No.E.96.IV.8), chap. I, resolution 1, annexes I and II.
[22] See resolution 2542 (XXIV).

Malnutrition,[23] the United Nations Declaration on the Rights of Indigenous Peoples[24] and the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[25] the Declaration on the Right to Development,[26] the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,[27] the outcome document, entitled "The future we want", adopted at the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,[28] and the outcome document of the third Global Conference on Child Labour, held in Brasilia from 8 to 10 October 2013, and recalling also the World Congresses against Sexual Exploitation of Children and Adolescents, the Global Action Programme on Education for Sustainable Development[29] and the World Education Forum 2015, held in Incheon, Republic of Korea, from 19 to 22 May 2015,

Underscoring the importance of the implementation of the 2030 Agenda for Sustainable Development[30] in ensuring the enjoyment of the rights of the child,

Noting the high-level global conferences held in Sweden in 2014 and in Austria in 2016, aimed at the complete elimination of all violent punishment of children, and supporting the continuation of this process with a conference to be held Malta in 2018,

Welcoming the work being undertaken towards the adoption in 2018 of a global compact on refugees and a global compact for safe, orderly and regular migration, and recalling the importance of mainstreaming a child-sensitive perspective and of bearing it in mind throughout the process,

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[31] and on the status of the Convention on the Rights of the Child and the issues addressed in resolution 70/137,[32] as well as the report of the Special Representative of the Secretary-General on Violence against Children,[33] the report of the Special Representative of the Secretary-General for Children and Armed Conflict[34] and the report of the Special Rapporteur of the Human Rights Council on the sale of children, child prostitution and child pornography,[35] whose recommendations should be carefully studied, taking fully into account the views of Member States,

Reaffirming that States have the primary responsibility to respect, promote and protect all human rights and fundamental freedoms, including the rights of the child,

Acknowledging the important role played by national governmental and local structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for

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[23] *Report of the World Food Conference, Rome, 5–16 November 1974* (United Nations publication, Sales No.E.75.II.A.3), chap. I.
[24] Resolution 61/295, annex.
[25] Resolution 69/2.
[26] Resolution 41/128, annex.
[27] Resolution 62/88.
[28] Resolution 66/288, annex.
[29] See A/69/76, annex, enclosure 2.
[30] Resolution 70/1.
[31] A/71/175.
[32] A/70/315.
[33] A/71/206.
[34] A/71/205.
[35] A/71/261.

children or other national institutions for the promotion and protection of the rights of the child,

Recognizing that the family has the primary responsibility for the nurturing and protection of children, in the best interests of the child, and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

Noting with appreciation the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, by relevant mandate holders and special procedures of the United Nations and by relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations, and human rights defenders,

Profoundly concerned that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria, cholera and tuberculosis, non-communicable diseases, lack of access to safe drinking water and sanitation, environmental damage, climate change, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, all forms of exploitation, including for the purposes of commercial sexual exploitation of children, such as child prostitution, child pornography and other sexual abuse material, travel and tourism for the purposes of sexual exploitation, also known as child sex tourism and trafficking in children, including for the purpose of organ removal and for the transfer of organs of the child for profit, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality and inadequate protection and access to justice, and convinced that urgent and effective national and international action is called for,

Profoundly concerned also that the situation of children in many parts of the world remains negatively affected by the prolonged effects of the world financial and economic crisis, poverty and inequality, reaffirming that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, recognizing its impact beyond the socioeconomic context and the intrinsic interlinkage between poverty eradication and the promotion of sustainable development, in this regard underlining the importance of the implementation of the 2030 Agenda for Sustainable Development, and recognizing that a strong focus is needed on poverty, deprivation and inequality to prevent and protect children from all forms of violence and to promote the resilience of children, their families and communities,

Expressing deep concern that, despite the recognition of the right of the child to express her or his views freely on all matters affecting her or him, with her or his views given due weight in accordance with the age and maturity of the child, children are still seldom seriously consulted and involved in such matters owing to a variety of constraints and impediments and that the full implementation of this right has yet to be fully realized,

Deeply concerned that children disproportionately suffer the consequences of discrimination, exclusion, inequality and poverty,

Deeply concerned also that approximately 5.9 million children under the age of 5 die each year,[36] mostly from preventable and treatable causes, owing to inadequate or lack of access to integrated and quality sexual, reproductive and maternal health-care services, as well as newborn and child health care and services, early childbearing, as well as lack of access to health determinants, such as safe drinking water and sanitation, safe and adequate food and nutrition, including breastfeeding, and that mortality remains highest among children belonging to the poorest and most marginalized communities,

Recognizing that the risk of maternal mortality is highest for girls under 15 years of age and that complications in pregnancy and childbirth are a leading cause of death among girls under 15 years of age in many countries,

I
Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* paragraphs 1 to 5 of its resolution 71/177 of 19 December 2016 and 1 to 10 of its resolution 68/147 of 18 December 2013, urges States that have not yet done so to consider acceding to the Convention on the Rights of the Child[1] and to the Optional Protocols thereto[2] as a matter of priority, to implement them effectively and fully and to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto, and encourages further efforts by the Secretary-General in this regard;

II
Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

2. *Reaffirms* paragraphs 6 to 10 of its resolution 71/177 and 11 to 14 of its resolution 68/147, and calls upon States to ensure the enjoyment by all children of all their civil, political, economic, social and cultural rights without discrimination of any kind, and calls upon States to address the particular needs of children belonging to national, ethnic, religious and linguistic minorities, migrant children, refugee or asylum-seeking children, internally displaced children, indigenous children and children with disabilities;

Registration, family relations, adoption and alternative care

3. *Reaffirms* paragraphs 11 and 12 of its resolution 71/177 and 15 to 19 of its resolution 68/147, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to birth registration, family relations and adoption or other forms of alternative care;

Economic and social well-being of children

4. *Reaffirms* paragraphs 13 to 15 of its resolution 71/177 and 20 to 29 of its resolution 68/147, calls upon all States and the international community to create an enabling environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their commitments, including the Sustainable Development Goals, reaffirms that investment in children, especially for early childhood development, has high

[36] See UNICEF, "Levels and trends in child mortality, 2015" (available from www.unicef.org/publications/files/Child_Mortality_Report_2015_Web_9_Sept_15.pdf).

economic and social returns and that all related efforts to ensure that resources allocated and spent for children, especially on children's education and health, should serve as a means for the fulfilment of the rights of the child, and notes in this regard general comment No. 19 (2016) of the Committee on the Rights of the Child on public budgeting for the realization of children's rights;[17]

Child labour

5. *Reaffirms* paragraphs 16 to 18 of its resolution 71/177 and 30 to 33 of its resolution 68/147, urges States to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour and to end child labour in all its forms, by 2025 at the latest, and to promote education as a key strategy, in this regard notes that the Global Conference on the Sustained Eradication of Child Labour will be held in Buenos Aires from 14 to 16 November 2017, and urges States to continue to promote the engagement of all sectors of society in creating an enabling environment for the eradication of child labour;

Promoting and protecting the rights of children, including children in particularly difficult situations

6. *Reaffirms* paragraphs 26 to 28 of its resolution 71/177 and 40 to 48 of its resolution 68/147, and calls upon all States to promote and protect all human rights of all children, to implement evidence-based programmes and measures that provide them with special protection and assistance, including access to health care and inclusive and equitable quality education and social services;

Migrant children

7. *Reaffirms* paragraphs 40 to 87 of its resolution 71/177, and calls upon States to effectively promote and protect the human rights and fundamental freedoms of all children affected by migration, regardless of their migration status, and to address international migration through international, regional or bilateral cooperation and dialogue and through a comprehensive and balanced approach, while recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all children affected by migration and in avoiding approaches that might aggravate their vulnerability;

8. *Expresses* the commitment to protect the human rights of migrant children, given their vulnerability, in particular unaccompanied migrant children, to ensure that they receive appropriate protection and assistance and to provide for their health, education and psychosocial development, ensuring that the best interests of the child are a primary consideration in policies on integration, return and family reunification;

Children and the administration of justice

9. *Reaffirms* paragraphs 29 to 31 of its resolution 71/177 and 49 to 57 of its resolution 68/147, and calls upon all States to respect and protect the rights of child victims and witnesses, and children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law, and to ensure compliance with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time;

[17] CRC/C/GC/19.

Prevention and eradication of the sale of children, child prostitution and child pornography

10. *Reaffirms* paragraph 32 of its resolution 71/177 and 58 of its resolution 68/147, and calls upon all States to prevent, criminalize, prosecute and punish all forms of the sale and trafficking of children, including for the purposes of removal of organs of the child for profit, child slavery, forced labour and the sexual exploitation of children, including child prostitution, child sexual exploitation material and other child sexual abuse material, with the aim of eradicating those practices and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the rights and needs of victims effectively, including universal access to comprehensive social, physical and mental health and legal services, without discrimination of any kind, and counselling for all victims to ensure their full recovery and reintegration into society, and take effective measures against the criminalization of children who are victims of exploitation;

Children affected by armed conflict

11. *Reaffirms* paragraphs 33 to 39 of its resolution 71/177 and 59 to 70 of its resolution 68/147, condemns in the strongest terms all violations and abuses committed against children in armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, acknowledging that sexual violence in these situations disproportionately affects girls, but that boys are also targets, in recurrent attacks on schools and/or hospitals and related personnel, and in patterns of abduction of children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end and prevent them, and to encourage age- and gender-specific support services, including sexual and reproductive health-care services and reintegration programmes, and takes note in this regard of the adoption of Security Council resolution 2225 (2015) of 18 June 2015;

12. *Underlines* that the rehabilitation needs of children should constitute a central theme of post-conflict and peacebuilding programmes and that the promotion and protection of the rights of children affected by armed conflict is crucial to break cycles of violence and prevent recurring conflicts;

13. *Calls upon* States to protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law, and to ensure that they receive timely, effective humanitarian assistance, noting the efforts taken to end impunity by ensuring accountability and punishing perpetrators, and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

14. *Calls upon* States, regional and subregional organizations to integrate the rights of the child into all activities in conflict and post-conflict situations aimed at promoting peace and preventing and resolving conflict, as well as negotiating and implementing peace agreements, and, given the long-term consequences for society, underlines the importance of including specific provisions for children, including resourcing, in peace agreements and in arrangements negotiated by parties;

15. *Recalls* that 2016 marked the twentieth anniversary of resolution 51/77 of 12 December 1996, by which the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict was created, welcomes its

tangible achievements in protecting children affected by armed conflict, underlines the need for the Office of the Special Representative of the Secretary General to collect, assess and disseminate best practices and lessons learned since the inception of the mandate, to increase public awareness-raising activities and to expand its cooperation with subregional organizations, and notes with appreciation the efforts of the Secretary-General and United Nations bodies to implement the monitoring and reporting mechanism on children and armed conflict;

III
Violence against children

16. *Recalls* article 19 of the Convention on the Rights of the Child, in which States parties are required to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or psychological violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child;

17. *Also recalls* the United Nations study on violence against children submitted to the General Assembly in 2006,[38] and welcomes the efforts of the Special Representative of the Secretary-General on Violence against Children in mainstreaming the study recommendations in the international, regional and national agenda;

18. *Further recalls* general comment No. 13 (2011) of the Committee on the Rights of the Child on the right of the child to freedom from all forms of violence;[39]

19. *Expresses deep concern* at the fact that every five minutes a child dies as a result of violence and that globally 1 billion children, between 2 and 17 years of age, experience physical, sexual, emotional or multiple types of violence, with an estimated 120 million girls and 73 million boys having been the victims of sexual violence at some point in their lives;

20. *Condemns* all forms of violence against children in all settings, including physical, psychological and sexual violence, torture and other cruel, inhuman or degrading treatment or punishment, neglect, child maltreatment, domestic violence, abuse and exploitation, including sexual abuse and exploitation of children online, in prostitution, pornography, travel and tourism, the trafficking in or sale of children or of their organs, as well as armed violence in the community, harmful practices, bullying and cyberbullying, on any basis, and urges all States to implement the measures set out in paragraph 34 of its resolution 68/147 and paragraph 3 of its resolution 69/168 of 18 December 2014, including to strengthen efforts to prevent and protect children from all such violence through a comprehensive approach and to develop a multifaceted and systematic legal and policy framework that is integrated into national planning processes to prevent and respond to violence against children, and recalls resolution 71/176 on protecting children from bullying;

21. *Calls upon* all States to implement the commitment to end abuse, exploitation, trafficking and all forms of violence and torture against children, as set out in the 2030 Agenda for Sustainable Development;

22. *Urges* all States to exercise leadership to end all forms of violence against children in all settings and to support advocacy in this regard at all levels, including at the local, national, regional and international levels, and by all sectors,

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[38] A/61/299.

[39] *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 41* (A/67/41), annex V.

especially by political, community and religious leaders, as well as the public and private sectors, the media and civil society;

23. *Requests* the relevant organizations of the United Nations system, in particular the organizations that are members of the Inter-Agency Working Group on Violence against Children, to continue to explore ways and means, within their respective mandates, by which they can contribute more effectively to addressing the need to prevent and to respond to all forms of violence against children;

24. *Expresses support* for the work of the Special Representative of the Secretary-General on Violence against Children, and recognizes the progress achieved since the establishment of her mandate in promoting the prevention and elimination of all forms of violence against children in all regions and in advancing the implementation of the recommendations of the United Nations study on violence against children, including through her regional and thematic consultations and field missions and thematic reports addressing emerging concerns, including *Ending the Torment: Tackling Bullying from the Schoolyard to Cyberspace*, *Protecting Children Affected by Armed Violence in the Community* and *Safeguarding the Rights of Girls in the Criminal Justice System: Preventing Violence, Stigmatization and Deprivation of Liberty*;

25. *Recognizes* the consolidated partnerships promoted by the Special Representative of the Secretary-General on Violence against Children, including the platform for dialogue and communication initiated and led by the Special Representative with regional organizations and institutions, which is an important mechanism, in the framework of the United Nations, for sharing knowledge and good practices, facilitating cross-fertilization of experiences, coordinating efforts, enhancing synergies, identifying trends and anticipating future challenges, and contributing to the acceleration of progress in protecting children from violence;

26. *Also recognizes* the importance of international, regional and bilateral multi-stakeholder partnerships and initiatives to advance the effective protection and promotion of the rights of the child and the elimination of violence against children, and in this regard notes the Global Partnership to End Violence Against Children, the "High time to end violence against children" initiative, the Together for Girls partnership, the Global Alliance to Eradicate Forced Labour, Modern Slavery, Human Trafficking and Child Labour, the Global Youth Partnership for the Sustainable Development Goals, the Global Partnership on Children with Disabilities; the Global Coalition to Protect Education from Attack, the WeProtect Global Alliance to combat online child sexual exploitation and the Global Alliance for Reporting Progress on Promoting Peaceful, Just and Inclusive Societies;

27. *Urges* all States to address the gender dimension of all forms of violence against children and incorporate a gender perspective in all policies adopted and actions taken to protect children against all forms of violence and harmful practices, including female genital mutilation, acknowledging that girls and boys face varying risks from different forms of violence at different ages and in different situations, including in schools;

28. *Stresses* the importance of taking an integrated and multifaceted approach based on the rights and well-being of children when designing and implementing measures to protect children from all forms of violence;

29. *Emphasizes* that no child should be left behind and that States should pay particular attention to the protection of marginalized children and children who belong to vulnerable groups or are in vulnerable situations, or who face stigmatization, discrimination or exclusion, and ensure the enjoyment of all their human rights, without discrimination of any kind;

30. *Reiterates* the need for all States to strengthen international cooperation and mutual assistance to prevent and protect children from all forms of violence and to end impunity for crimes against children;

31. *Encourages* States to consider accession to or ratification of The Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, of 19 October 1996;[40]

32. *Recalls* the importance of actively engaging with children and respecting their views in all aspects of prevention, response and monitoring of violence against them, taking into account article 12 of the Convention on the Rights of the Child;

33. *Expresses its concern* about situations of violence in communities worldwide, including widespread armed violence linked to the illegal arms trade and the availability of small arms, organized crime, including drug-related crime, as well as gang-related violence, which put the well-being of children and the right to life and security of person at severe risk;

34. *Recognizes* that there has been significant progress at the international, regional and national levels since the submission of the United Nations study on violence against Children, and calls upon all States to maintain and enhance their efforts to protect children from all forms of violence, in particular:

(a) To take effective and appropriate legislative and other measures to prohibit, prevent and eliminate all forms of violence against children in all settings, including harmful practices in all situations, and to strengthen international, national and local cooperation and mutual assistance in this regard;

(b) To respect fully the rights, human dignity and physical integrity of children and to prevent and address any psychological, physical or sexual violence or any other humiliating or degrading treatment or punishment;

(c) To give priority attention to the prevention of all forms of violence against children and to addressing its underlying causes and its gender dimension through a systematic, comprehensive and multifaceted approach, recognizing that witnessing violence, including domestic violence, also causes harm to children;

(d) To develop a well-coordinated and well-resourced national strategy for the prevention and elimination of all forms of violence against children, including measures aimed at, inter alia, raising awareness, building the capacity of professionals working with and for children, supporting effective parenting programmes, fostering research, conducting surveys and collecting data on the incidence of violence against children and developing and implementing appropriate national monitoring tools to periodically assess progress, and to follow a system-strengthening approach, with a focus on establishing integrated child protection systems, in which the components and services are multi-disciplinary, cross-sectorial and inter-agency, and work together in a coherent manner;

(e) To end impunity for perpetrators of crimes against children, to undertake thorough and prompt investigations of all acts of violence against children and to prosecute such acts of violence and impose appropriate penalties, recognizing that persons convicted of violent offences against children, including sexual abuse, who continue to pose a risk of harm to children should be prevented from working with children;

(f) To protect children from all forms of violence or abuse in all settings by all those who work with and for children, including in educational settings, in

[40] United Nations, *Treaty Series*, vol. 2204, No. 39130.

alternative care and residential care settings, and in international development activities and humanitarian relief work, as well as by government officials, such as the police, law enforcement authorities, employees and officials in detention centres or welfare institutions and health-care personnel;

(g) To establish and develop safe, well-publicized, confidential and accessible mechanisms to enable children or their representatives to seek counselling, to report violence against children and file complaints on incidents of violence and to ensure that children have access to such mechanisms;

(h) To develop coherent and coordinated protection systems, to provide universal access to quality comprehensive social, physical and mental health and legal services, including sexual and reproductive health care services, and counselling, for all victims and survivors, to ensure their full recovery and reintegration into society, and to strengthen social welfare systems and effective service delivery for children affected by violence, in particular in the justice, education and health sectors;

(i) To strive to change attitudes that condone or normalize any form of violence against children, including cruel, inhuman or degrading forms of discipline, harmful traditional practices and all forms of sexual violence;

(j) To strengthen the role of education, including human rights education, as the most effective means of promoting tolerance, in preventing the spread of extremism by instilling respect for human rights and promoting the practice of non-violence, moderation, dialogue and cooperation, and to encourage all relevant actors to contribute actively to this endeavour by, inter alia, placing emphasis on civic education and life skills as well as democratic principles and practices at all levels of formal, informal and non-formal education;

(k) To accelerate efforts to scale up scientifically accurate age-appropriate comprehensive education that provides adolescent girls and boys and young women and men, in and out of school, consistent with their evolving capacities, with information on sexual and reproductive health, gender equality and women's empowerment, human rights, physical, psychological and pubertal development and power in relationships between women and men, to enable them to build self-esteem and informed decision-making, communication and risk reduction skills and develop respectful relationships, in full partnership with young people, parents, legal guardians, caregivers, educators and health-care providers;

35. *Expresses concern* at the persistent and growing challenges to eliminating all forms of violence against children, and urges States to intensify their efforts, and particularly:

(a) To adopt and/or strengthen policies and clear and comprehensive measures, including, where required, legislation, that seek to prevent and protect children from bullying and provide for safe and child-sensitive counselling and reporting procedures and safeguards for the rights of affected children, ensuring that those who work with and for children protect children from bullying;

(b) To strengthen the capacities of schools in early detection and response to prevent and respond to bullying, including cyberbullying, in particular initiatives to mobilize support to prevent and address this phenomenon, and to ensure that children are informed of any existing public policies to secure their protection;

(c) To raise public awareness, involving family members, legal guardians, caregivers, young people, schools, community health centres, communities, community leaders and the media, as well as civil society organizations, with the participation of children, regarding the protection of children from bullying;

(d) To promote constructive and positive forms of discipline and child development approaches in all settings, including the home, schools and other educational settings, and throughout care and justice systems, and to take measures towards the elimination of all forms of violence against children, including violent forms of discipline;

(e) To adopt all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and human rights by taking all appropriate legislative, administrative, social and educational measures, in accordance with the best interests of the child, to protect the child from all forms of physical or psychological violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse in schools, and in this context to take measures to promote non-violent forms of discipline in schools;

(f) To accelerate efforts to develop, review and strengthen inclusive and gender-responsive policies, including by allocating adequate resources, to address the structural and underlying causes of violence against girls, to overcome gender stereotypes and negative social norms, to encourage the media to examine the impact of gender-role stereotypes, including those perpetuated by commercial advertisements, that foster gender-based violence, sexual exploitation and inequalities, to promote zero tolerance for such violence and to remove the stigma of being a victim and survivor of violence, thus creating an enabling and accessible environment where girls can easily report incidents of violence and make use of the services available, including protection and assistance programmes;

(g) To condemn all harmful practices that affect girls, in particular female genital mutilation, whether committed within or outside a medical institution, and to take all necessary measures, especially through educational campaigns, including enacting and enforcing legislation, to prohibit female genital mutilation and to protect girls from this form of violence, and to hold perpetrators to account;

(h) To enact, enforce and uphold laws and policies aimed at preventing and ending child, early and forced marriage and protecting those at risk, to amend relevant laws and policies to remove any provision that enables perpetrators of rape, sexual abuse or abduction to escape prosecution and punishment by marrying their victims, and to ensure that every girl and woman at risk of or affected by child, early and forced marriage has equal access to affordable quality services such as education, counselling, shelter and other social services, psychological, sexual and reproductive health-care services, medical care and legal assistance;

(i) To enact and enforce the necessary legislative or other measures, in cooperation with relevant stakeholders, including the private sector and the media, to prevent the distribution over the Internet of child sexual exploitation material, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable the reporting and removal of such material and that its creators, distributors and collectors are prosecuted, as appropriate;

(j) To ensure the legal protection of children from sexual abuse and exploitation online, ensure that perpetrators are held accountable, remove obstacles to effective investigations of and prosecutions for child sexual abuse and exploitation online and offline, establish fast and effective procedures for the removal or blocking of child sexual abuse or pornographic materials involving children and establish well-trained and well-resourced dedicated law enforcement investigative units to investigate, pursue and combat any sexual and gender-based violence against children committed through the use of information and communications technologies, and to promote the use of victim identification processes on children depicted in sexual exploitation material;

(k) To make efforts to ensure that the opportunities provided by information and communications technologies, in the lives of children, as tools for learning, socialization, expression, inclusion and fulfilment of their rights and fundamental freedoms, such as the right to education, the right to freedom of expression, the freedom to seek, receive and impart information, and the right to express their views freely, are used to their fullest;

(l) To protect children deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment, to ensure that, if they are arrested, detained or imprisoned, children are provided with prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of their liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action, that, from the moment they are arrested, children will have the right to maintain contact with their family through correspondence and visits, save in exceptional circumstances, that no child is sentenced or subjected to forced labour or corporal punishment or deprived of access to and the provision of health care and services, hygiene and environmental sanitation, education, basic instruction and vocational training, access to safe, confidential, independent mechanisms to report on violence and that the conditions in such settings are regularly and effectively monitored, and to undertake prompt investigations of all reported acts of violence and ensure that perpetrators are held accountable;

(m) To take effective measures for the dissemination and implementation of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,[41] and invites relevant United Nations actors to support Member States, where appropriate, to this end through concerted efforts;

(n) To develop and implement, as appropriate, comprehensive policies and programmes that, by fostering social development, are aimed at the prevention of crime and violence against children and that address the multiple factors that contribute to marginalization, crime and victimization, in close cooperation with relevant stakeholders, including civil society, and based on scientific evidence and taking into account good practices;

(o) To ensure that the best interests of the child shall be a primary consideration in all decisions concerning children and to underline that migrant children, including undocumented and unaccompanied children, should be provided with effective protection from discrimination and from violence, as well as with access to due process in all legal and administrative proceedings affecting them, including for the determination of their age and legal status, should be rapidly assigned a legal guardian when unaccompanied and be placed in safe, community based contexts that are sensitive to their age, gender and special needs, and in this context reaffirms paragraphs 66 and 67 of its resolution 71/177;

(p) To devise, enforce and strengthen effective gender- and age-sensitive measures to combat and eliminate all forms of trafficking in children, including for sexual and economic exploitation, as part of a comprehensive anti-trafficking strategy that integrates a human rights perspective, and to draw up, as appropriate, national action plans in this regard;

(q) To strengthen measures to eliminate sex tourism demand, especially of children, and to ensure the effective protection of children from exploitation through all possible preventive actions, including legislative measures and other relevant policies and programmes;

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[41] See Economic and Social Council resolution 2014/18.

(r) To continue to seek to prevent, respond to, investigate and prosecute violations and abuses against children in humanitarian emergencies, to strengthen support services for children affected by humanitarian emergencies, including those who have experienced violations and abuses, and to call for a more effective response in that regard;

(s) To invest in the development and implementation of data systems to monitor violence against children and track progress, and to promote innovation in the area of data collection and monitoring, including the use of benchmarks and indicators to ensure access to robust and reliable data, disaggregated according to income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in the national context;

(t) To encourage and support the private sector with regard to adopting operational practices that protect children from violence and exploitation and promote children's well-being;

(u) To support the work of the Independent Expert for the global study on the situation of children deprived of their liberty;

IV
Follow-up

36. *Recalls* paragraph 52 (d) of its resolution 69/157 of 18 December 2014 and paragraph 88 of its resolution 71/177, in this regard encourages Member States and United Nations agencies, funds, programmes and offices, as well as other relevant stakeholders, to support the elaboration of the study, and invites the designated independent expert to update Member States at its seventy-third session on the progress made and to submit a final report to the General Assembly at its seventy-fourth session;

37. *Welcomes* the appointment of Virginia Gamba as the Special Representative of the Secretary-General for Children and Armed Conflict, pursuant to General Assembly resolutions 51/77 and 60/231 of 23 December 2005, and recognizes the progress achieved since the establishment of the mandate of the Special Representative, as extended by the Assembly in resolution 69/157;

38. *Recognizes* the work of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, its increased level of work and the progress achieved since the establishment of the mandate of the Special Representative, and, bearing in mind its resolution 63/241 of 24 December 2008 and paragraphs 35 to 37 of its resolution 51/77, recommends that the Secretary-General extend the mandate of the Special Representative for a further period of three years;

39. *Decides*:

(a) To request the Secretary-General to submit to the General Assembly at its seventy-third session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child and on the implementation of the priority themes of the resolution entitled "Rights of the child", adopted at its sixty-ninth to seventy-second sessions, including progress that has been achieved and challenges that still remain, taking into account information provided by Member States;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) To request the Special Representative of the Secretary General for Children and Armed Conflict to increase her engagement with States, United Nations bodies and agencies, and regional organizations, as well as to enhance engagement with subregional organizations and to increase public awareness-raising activities, including through collecting, assessing and disseminating best practices and lessons learned, in accordance with the existing mandate;

(d) To request the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, consistent with paragraphs 58 and 59 of its resolution 62/141, including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda;

(e) To request the Special Rapporteur of the Human Rights Council on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining in the prevention and eradication of the sale of children, child prostitution and child pornography and the sexual exploitation and abuse of children, including in the context of the implementation of the 2030 Agenda;

(f) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly at its seventy-second session as a way to enhance communication between the Assembly and the Committee;

(g) To continue its consideration of the question at its seventy-third session under the item entitled "Promotion and protection of the rights of children".

United Nations A/C.3/72/L.22

General Assembly

Distr.: Limited
20 October 2017

Original: English

Seventy-second session
Third Committee
Agenda item 28 (a)
Advancement of women: advancement of women

Antigua and Barbuda, Argentina, Mongolia and Morocco: draft resolution

Improvement of the situation of women and girls in rural areas

The General Assembly,

Recalling its resolutions 56/129 of 19 December 2001, 58/146 of 22 December 2003, 60/138 of 16 December 2005, 62/136 of 18 December 2007, 64/140 of 18 December 2009, 66/129 of 19 December 2011, 68/139 of 18 December 2013 and 70/132 of 17 December 2015,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, and also that all forms of discrimination, including discrimination against women and girls, are contrary to the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[2] the Convention on the Elimination of All Forms of Discrimination against Women,[3] the Convention on the Rights of the Child,[4] the Convention on the Rights of Persons with Disabilities[5] and other human rights instruments,

Reaffirming also the commitment made to gender equality and the empowerment of all women and girls, including those in rural areas, contained in the outcome documents of relevant international conferences and summits, in particular the Beijing Declaration[6] and Platform for Action[7] adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century"[8] and the outcome document of the high-level plenary

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[4] Ibid., vol. 1577, No. 27531.
[5] Ibid., vol. 2515, No. 44910.
[6] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.
[7] Ibid., annex II.
[8] Resolution S-23/2, annex, and resolution S-23/3, annex.

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Please recycle

meeting of the General Assembly known as the World Conference on Indigenous Peoples,[9] and recalling other instruments, as appropriate, such as the United Nations Declaration on the Right to Development,[10]

Welcoming the adoption of the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[11] and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development,[12]

Recalling that the 2030 Agenda for Sustainable Development addresses the need to achieve gender equality and the empowerment of all women and girls, in order to ensure that no one is left behind, and that the systematic mainstreaming of a gender perspective in the implementation of the 2030 Agenda is crucial,

Recognizing that rural women are critical agents in poverty reduction, that they are crucial to the achievement of food security and nutrition in poor and vulnerable households and to environmental sustainability and that, in other ways, they are also critical to the achievement of all of the Sustainable Development Goals,

Expressing concern that rural women continue to be economically and socially disadvantaged because of their limited access to economic resources and opportunities, their limited or lack of access to quality education, health-care services, justice, land, infrastructure, water and sanitation and other resources, as well as to credit, extension services and agricultural inputs, and expressing concern also about their exclusion from planning and decision-making and their disproportionate burden of unpaid care and domestic work,

Recognizing the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security[13] and the Principles for Responsible Investment in Agriculture and Food Systems,[14] endorsed by the Committee on World Food Security, which embrace gender equality as one of the main guiding principles of implementation in order to help address the ongoing disparities with regard to access to and control of land and other natural resources,

1. *Takes note* of the report of the Secretary-General;[15]

2. *Urges* Member States, in collaboration with the organizations of the United Nations system and civil society, as appropriate, to continue their efforts to implement the outcome of and to ensure an integrated and coordinated follow-up to the relevant United Nations conferences and summits, including their reviews, and to attach greater importance to the improvement of the situation of rural women and girls, in their national, regional and global development strategies by, inter alia:

(a) Creating an enabling environment for improving their situation and ensuring systematic attention to their needs, priorities and contributions, including through enhanced cooperation and a gender perspective, and their full and equal participation in the development, implementation and follow-up of macroeconomic policies, including development policies and programmes and poverty eradication

[9] Resolution 69/2.
[10] Resolution 41/128, annex.
[11] Resolution 70/1.
[12] Resolution 69/313, annex.
[13] Food and Agriculture Organization of the United Nations, document CL 144/9 (C 2013/20), appendix D.
[14] Food and Agriculture Organization of the United Nations, document C 2015/20, appendix D.
[15] A/72/207.

strategies, including poverty reduction strategy papers, where they exist, aimed at implementing the 2030 Agenda for Sustainable Development;[11]

(b) Pursuing the political and socioeconomic empowerment of rural women and supporting their full and equal participation in decision-making at all levels, including through affirmative action, where appropriate, including by promoting and protecting the right to vote and to be elected and the right to freedom of expression, peaceful assembly and association, and through support for women's and farmers' organizations in which subsistence and smallholder women farmers are members, labour unions, cooperatives or other associations and civil society groups promoting rural women's rights;

(c) Promoting consultation with and the participation of rural women, including indigenous women, women with disabilities and older women, through their organizations and networks, in the design, development and implementation of and follow-up to programmes and strategies for gender equality, the empowerment of women and rural development;

(d) Ensuring that the perspectives of rural women are taken into account and that they fully and equally participate in the design, implementation, follow-up and evaluation of policies and activities related to conflict prevention, the mitigation of post-conflict situations, peace mediation, the impacts of climate change and emergencies, including natural disasters, humanitarian assistance, peacebuilding and post-conflict reconstruction, and taking appropriate measures to eliminate all forms of violence and discrimination against rural women and girls in this regard;

(e) Integrating a gender perspective into the design, implementation and evaluation of and follow-up to development policies, plans and programmes, including budget policies, where lacking, ensuring coordination between line ministries, gender policymakers, gender machineries and other relevant government organizations and institutions with gender expertise, and paying increased attention to the needs of rural women and girls to ensure that they benefit from policies and programmes adopted in all spheres and that the disproportionate number of rural women living in poverty is reduced;

(f) Mainstreaming a gender perspective in decision-making processes and the governance of natural resources, leveraging the participation and influence of women in managing the sustainable use of natural resources, and enhancing the capacities of Governments, civil society and development partners to better understand and address gender issues in the management and governance of natural resources;

(g) Strengthening measures, including resource generation, to improve women's health, including maternal health, by addressing the specific health, nutrition and basic needs of rural women and taking concrete measures to enhance and provide access to the highest attainable standards of physical and mental health for women of all ages in rural areas, as well as quality, affordable and universally accessible primary health care and support services, including prenatal and postnatal health care, emergency obstetric care, family planning, information and education, increasing knowledge, awareness and support for the elimination of harmful practices and the prevention, treatment and care of sexually transmitted infections, including HIV, and ensuring universal access to sexual and reproductive health and reproductive rights in accordance with the Programme of Action of the International Conference on Population and Development,[16] the Beijing Platform for Action[7] and the outcome documents of their review conferences;

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[16] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

(h) Promoting sustainable infrastructure, access to safe drinking water and sanitation and safe cooking and heating practices to improve the health and nutrition of rural women and girls;

(i) Investing in and strengthening efforts to meet the basic needs of rural women, including needs relating to their food security and nutrition and that of their families, and to promote adequate standards of living for them, as well as decent conditions for work and access to local, regional and global markets through improved availability, access to and use of critical rural infrastructure, such as energy and transport, science and technology, local services, capacity-building and human resources development measures and the provision of a safe and reliable water supply and sanitation, nutritional programmes, affordable housing programmes, education and literacy programmes, social support measures and health care, including HIV prevention, treatment, care, including psychosocial aspects, and support services;

(j) Designing and implementing national policies and legal frameworks that promote and protect the full enjoyment of human rights and fundamental freedoms by rural women and girls, and creating an environment that does not tolerate violations or abuses of their rights, including domestic violence, sexual violence and all other forms of gender-based violence and discrimination;

(k) Ensuring that the rights of older women in rural areas are taken into account with regard to their equal access to basic social services, appropriate social protection and/or social security measures, equal access to and control of economic resources and their empowerment through access to financial and infrastructure services, with special focus on the provision of support to older women, including indigenous women, who often have access to few resources and are more vulnerable;

(l) Valuing and supporting the critical role and contribution of rural women, including indigenous women in rural areas, in the conservation and sustainable use of traditional crops and biodiversity for present and future generations as an essential contribution to food security and nutrition;

(m) Promoting the rights of women and girls with disabilities in rural areas, including by ensuring access on an equal basis to productive employment and decent work, economic and financial resources and disability-sensitive infrastructure and services, in particular in relation to health and education, as well as by ensuring that their priorities and needs are fully incorporated into policies and programmes, inter alia, through their participation in decision-making processes;

(n) Developing specific assistance programmes and advisory services to promote economic skills of rural women in banking, modern trading and financial procedures and fiscal literacy and providing microcredit and other financial and business services to a greater number of women in rural areas, in particular female heads of households, for their economic empowerment;

(o) Supporting women entrepreneurs and women smallholder farmers, including those in subsistence farming, by continuing to provide public investment and to encourage private investment in rural women to close the gender gap in agriculture, and facilitating their access to extension and financial services, agricultural inputs and land, water sanitation and irrigation, markets and innovative technologies;

(p) Mobilizing resources, including at the national level and through official development assistance, for increasing women's access to existing savings and credit schemes, as well as targeted programmes that provide women with capital, knowledge and tools that enhance their economic capacities;

(q) Seeking to ensure and improve equal access for rural women to decent work in agricultural and non-agricultural sectors, supporting and promoting opportunities in small and medium-sized enterprises, sustainable social enterprises and cooperatives and improving working conditions;

(r) Investing in infrastructure and in time- and labour-saving technologies, including sustainable energy, safe drinking water and sanitation and information and communications technologies, especially in rural areas, benefiting women and girls by reducing their burden of domestic activities, affording the opportunity for girls to attend school and for women to engage in self-employment or to participate in the labour market;

(s) Taking steps to ensure that women's and girls' unpaid work, including care and domestic work, and contributions to on-farm and off-farm production are recognized, and promoting shared responsibility within the household with a view to reducing and equitably distributing the burden of such unpaid work;

(t) Supporting remunerative non-agricultural employment for rural women, including in the informal sector, including measures to improve working conditions, increase access to productive resources, invest in relevant infrastructure, public services and time- and labour-saving technologies, promote rural women's paid employment in the formal economy and address the structural and underlying causes of the difficult conditions faced by rural women;

(u) Encouraging the design and implementation of gender-sensitive procurement laws and policies, and the building of the capacities and skills of rural women and their enterprises and cooperatives so that they benefit from public and private sector procurement processes;

(v) Promoting programmes and services to enable rural women and men to reconcile their work and family responsibilities and to encourage men to share, equally with women, household, childcare and other care responsibilities;

(w) Developing strategies to decrease women's vulnerability to environmental factors and the impact of climate change while promoting rural women's full and equal participation in protecting the environment;

(x) Considering the adoption, where appropriate, of national legislation to protect the knowledge, innovations and practices of women in indigenous and local communities relating to traditional medicines, biodiversity and indigenous technologies;

(y) Addressing the lack of quality, accessible, timely and reliable data disaggregated by sex and age and statistical information on disabilities, to help with the measurement of progress and to ensure that no one is left behind, including by intensifying efforts to include women's unpaid work in official statistics, and developing a systematic and comparative research base on rural women that will inform policy and programme decisions;

(z) Strengthening the capacity of national statistical offices and other relevant government institutions to collect, analyse and disseminate data, disaggregated by sex and age, and gender statistics on time use, unpaid work, land tenure, energy, water and sanitation, among other things, to support policies and actions to improve the situation of rural women and girls, and to monitor and track the implementation of such policies and actions;

(aa) Designing, revising and implementing laws to ensure that rural women are accorded full and equal rights to own and lease land and other property, including through the equal rights to economic resources, access to basic services, ownership and control over land and other forms of property, inheritance, natural

resources, appropriate new technology and financial services, including banking and microfinancing, and undertaking administrative reforms and all necessary measures to give women the same right as men to credit, capital, appropriate technologies and access to markets and information, and to ensure their equal access to justice and legal support;

(bb) Supporting a gender-sensitive education system, including through approaches that attract and retain female students and teachers and that consider the specific needs of rural women and girls in order to eliminate gender stereotypes and discriminatory tendencies affecting them, including through community-based dialogue involving women and men and girls and boys;

(cc) Eliminating gender disparities in the realization of the right to education and ensuring full and equal access to and completion of inclusive quality education (primary, secondary and tertiary education, including vocational and technical education), and eliminating female illiteracy and promoting lifelong learning opportunities for rural women and girls, including through quality teacher training, recruitment and retention of teachers in rural areas, especially of women teachers where they are underrepresented, and building gender-sensitive education facilities that provide a safe, non-violent, inclusive and effective learning environment for all and facilitate an effective transition from education or unemployment to decent work;

(dd) Promoting education, training and relevant information programmes for rural and farming women through the use of affordable and appropriate technologies and the mass media, and taking concrete measures to improve rural women's skills, productivity and employment opportunities through technical, agricultural and vocational education and training;

3. *Encourages* Member States, United Nations entities and all other relevant stakeholders to promote access to social protection for female-headed rural households;

4. *Requests* the relevant organizations and bodies of the United Nations system, in particular those dealing with issues of development, to address and support the empowerment of rural women and their specific needs in their programmes and strategies;

5. *Stresses* the need to identify the best practices for ensuring that rural women have access to and full and equal participation in the area of information and communications technology, to address the priorities and needs of rural women and girls as active users of information and to ensure their participation in developing and implementing global, regional and national information and communications technology strategies, taking appropriate educational measures to eliminate gender stereotypes regarding women in the field of technology;

6. *Encourages* Member States to consider the concluding observations and recommendations of the Committee on the Elimination of Discrimination against Women and of the Committee on Economic, Social and Cultural Rights concerning their reports to those Committees when formulating policies and designing programmes focused on the improvement of the situation of rural women, including those to be developed and implemented in cooperation with relevant international organizations;

7. *Invites* Governments to promote the economic empowerment of rural women, including through entrepreneurship training, and to adopt gender-responsive and climate-sensitive rural development strategies and agricultural production, including budget frameworks and relevant assessment measures, as well as to ensure that the needs and priorities of rural women and girls are systematically

addressed and that they can effectively contribute to poverty alleviation, hunger eradication and food security and nutrition;

8. *Invites* the Commission on the Status of Women to give consideration to the issue of the empowerment of rural women in a timely and appropriate manner;

9. *Invites* Governments, relevant international organizations and the specialized agencies to continue to observe the International Day of Rural Women annually, on 15 October, as proclaimed by the General Assembly in its resolution 62/136;

10. *Requests* the Secretary-General to report to the General Assembly at its seventy-fourth session on the implementation of the present resolution.